

# Attachment C

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Employee Housing Development Plan  
124 Gonda St. Pajaro CA 95076

PLN200203

Prepared for Monterey County Housing and Community Development – Planning

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4/8/2021

Questions from HCD:

Outline the required permits and licenses that you and/or your developer will pursue for this development.

1. Show how your development will follow State housing agency guidelines for affordable housing. If H2A is not certain, then discuss the alternative development opportunities you intend to pursue for the site.
2. Evaluate the site constraints such as environmental restrictions, availability of transportation, and child care services and discuss how the development will address any gaps with onsite child care, shuttle services, onsite laundry, recreation areas and common space, recycling/trash containment structure, employee pick-up and drop-off location, and other employee housing specific amenities.
- ~~3. Discuss what is in the site plan that addresses how your development will mitigate the closeness of the agricultural use next door. Include the types of measures that the Agricultural Commissioner's Office mentioned on your call with them (window orientation, landscaping, etc.) The Agricultural Advisory Committee will review these measures in their project review.~~
4. Describe the conceptual design guidelines by discussing the floor plans, exterior colors and materials, landscaping, exterior lighting, and parking standards (including ADA).
5. Discuss how the plans conform to [Pajaro Community Area plan](#) and the [North County Area Plan](#). The North County Land Use Advisory Committee will review these sections and the materials for #5 to see that your affordable housing project complements existing structures within the community and plans for the area.

Required Permits and Licenses:

- Use Permit from Monterey County HCD – Planning
  - Building Permit from Monterey County Building Department
  - Encroachment Permit from Monterey County Public Works(widened driveway)
  - Employee Sponsored Housing Permit from Monterey County Environmental Health Bureau
1. Show how your development will follow State housing agency guidelines for affordable housing. If H2A is not certain, then discuss the alternative development opportunities you intend to pursue for the site.

- a. Proposed development meets or exceeds all State and Federal requirements for housing per ‘Guide to State and Federal Requirements For Employee/Migrant Housing’ see Appendix A. Of note, proposed development exceeds requirements in the following areas:
  - i.

Minimum State & Federal Requirement	Proposed Development
1 Stove per 10 people	1 stove per 8 people
1 Basin per 6 people	1 basin per 2.6 people
1 Bathing facility per 10 people	1 bathing facility per 4 people
1 Toilet per 10 people	1 toilet per 4 people

- b. “H01 - Housing, Inclusionary Housing Provided the project is developed and operated under an Employer Sponsored Housing Permit issued by the County Environmental Health Bureau, or a successor agency, the project is exempt from the requirements of the Inclusionary Housing Ordinance per 18.40.050.B.3 of the County Code. If the applicant may, at some time in the future, operate the development as a market rate rental project, the applicant will need to enter into an Affordable/Inclusionary Housing Developer Agreement with the County. This requirement will be triggered at any time the required Employer Sponsored Housing permit is not issued by Environmental Health.” – Memo from Darby Marshall PLN200203 DRC notes dated Oct. 22<sup>nd</sup> 2020

- 2. Evaluate the site constraints such as environmental restrictions, availability of transportation, and child care services and discuss how the development will address any gaps with onsite child care, shuttle services, onsite laundry, recreation areas and common space, recycling/trash containment structure, employee pick-up and drop-off location, and other employee housing specific amenities.
  - a. Setbacks – proposed development will comply with all setbacks and building requirements set forth in Chapter 21.1 Regulations for High Density Residential Zoning Districts or “HDR” Districts.
    - i. With the exception of requesting a 5’ height variance. Maximum zoning height is 35’, proposed development is 40.
  - b. Flood Zone – The proposed development is located completely withing Zone AO, 100-year floodplain of the Pajaro River, as shown on FEMA Flood Insurance Rate Map 06053C-0040G, effective date April 2, 2009. The base flood elevation for the area is Depth 1’.
    - i. A FEMA Elevation Certificate has been obtained, and any new construction will conform with Monterey County Code 16.6 Elevation Requirements.
  - c. Ag Buffer setback – to be addressed in item #3.
  - d. Homeless Issue – Pajaro River has a very serious homeless problem, and is frequently accessed via the end of Gonda St. A full perimeter steel fence(concrete on the eastern side) with an automatic keypad gate will surround the property to keep the residents

safe. The proposed development will have 24hr security and resident manager on the premises.

- e. Transportation to and from work will be provided by the employer, as required by H2A regulations. There is a designated pick up and drop off location to the East of the Northernmost proposed structure.
  - f. Child care services – N/A H2A program is an all-male program.
  - g. Onsite Laundry – Proposed development will provide a designated 455 sq ft laundry room with 6 washer/dryer units, 3 sinks, and folding tables.
  - h. Recreation areas – County Code Section requires that 3% (1,719 SF) of the property be available for recreational purposes. The proposed development will provide 519 sq ft rec room with sink, stove and refrigerator, as well as approximately 2800 sq ft of exterior open space for a total of 3,319 SF of recreational area which is nearly twice of what is required.
  - i. Recycling/Trash Containment – proposed development will have a trash and recycling enclosure onsite Per Chapter 21.10.070 A. Enclosure to be approved by Director of Environmental Health and Director of Planning and Building Inspection.
- ~~3. Discuss what is in the site plan that addresses how your development will mitigate the closeness of the agricultural use next door. Include the types of measures that the Agricultural Commissioner's Office mentioned on your call with them (window orientation, landscaping, etc.) The Agricultural Advisory Committee will review these measures in their project review.~~
- ~~a. The nearest point of the northern building will have a 52'8" setback from the easterly ag use's property line.~~
  - ~~b. The proposed development sits up wind from the easterly Ag use.~~
  - ~~c. The Easterly Ag use is a Certified Organic field.~~
  - ~~d. A 6' prefabricated concrete wall is proposed to even further mitigate against the ag use to the east.~~
  - ~~e. The Ag use to the East, located on APN 117-361-016, while being farmed now, is also zoned HDR 20 and is located within the Pajaro Community Area and is likely to be developed in the future. See appendix B~~
4. Describe the conceptual design guidelines by discussing the floor plans, exterior colors and materials, landscaping, exterior lighting, and parking standards (including ADA).
- a. Floor plans for this proposed development consist of 34 2 bedroom 2 bath apartment style units, 928 sq ft each. One 928 sq ft managers unit, one 455 sq ft laundry room, and one 519 sq ft recreational room.
  - b. Exterior materials will be James Hardy siding, dual pane windows, and compositions roof. Colors to be consistent and in line with neighborhood.
  - c. Exterior lighting, while abundant due to the area, will be down-lit and unobtrusive to neighbors.
  - d. Landscaping plan is consistent with Monterey County requirements, utilizes many native species, low water usage drip system, ETWU of 0.41 acre feet and MAWA of 0.5 acre feet.
  - e. Section 21.58.040 of the Monterey County Code requires 1 parking space per dwelling or 1 parking space per four beds for Agricultural Employee housing. This project proposes 53 parking spaces, of which 4 are ADA. This exceeds the 1 parking space per dwelling unit(34 units, 1 managers unit = 35 spaces). Of the 272 proposed beds and 1 manager unit that would equate to 69 spaces required. However, with the specific H2A

use, all workers are required by the program to utilize the provided buses to travel to and from work.

5. Discuss how the plans conform to [Pajaro Community Area plan](#) and the [North County Area Plan](#). The North County Land Use Advisory Committee will review these sections and the materials for #5 to see that your affordable housing project complements existing structures within the community and plans for the area.
  - a. Community areas are to be the focus for development under the 2010 General Plan. Policy LU-2.20 “Community Areas as the preferred location and the priority for additional development in the County to support a mix of land use types at an urban level. Community Areas are planned population centers where new development in the unincorporated area shall be actively supported as the County’s primary planning priority. This project is fully consistent with that policy.
  - b. Pajaro Community Area Plan – the proposed development is in line with the Vision Statement of the Pajaro Development Support Plan:
    - i. “The residents of Pajaro seek to achieve a more healthy, balanced community in context with agricultural uses and the culturally diverse character of the Pajaro Valley. The residents of Pajaro envision a future in which Pajaro is largely residential, with friendly, compact neighborhoods; safe, walkable streets; convenient access to neighborhood shopping; and a heavy industrial base that provides jobs and supports the surrounding agricultural use. The residents and businesses want to accommodate new development when it can provide expanded, affordable housing for the existing residents; when there is adequate infrastructure, including schools and community facilities; when it is balanced with the agricultural uses that provide local jobs; and when new development provides the impetus for redevelopment of the existing developed properties.”
    - ii. The proposed development will also shed light, both figuratively and literally on the end of Gonda St. – a notoriously highly trafficked area of homeless and undesirable behavior.
  - c. North County Area Plan – the proposed development is in line with the North County Area Plan in that:
    - i. Does not disrupt farmland
    - ii. Located within the Pajaro Community Area and has access to adequate sewer through Pajaro/County Sanitation District and water through Pajaro Sunny Mesa
    - iii. Proposed development is compliant with the 100-year FEMA flood zone
    - iv. Per Keith Higgins Traffic Impact Analysis Report dated March 25 2021, the proposed development will not negatively impact traffic with H2A or apartment use.

# Appendix A

**GUIDE TO STATE AND FEDERAL REQUIREMENTS  
FOR  
EMPLOYEE / MIGRANT HOUSING**



**PREPARED JOINTLY BY:**

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF CODES AND STANDARDS**

**AND**

**UNITED STATES DEPARTMENT OF LABOR  
WAGES AND HOUR DIVISION**

**Revised - April 2003**



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## **INTRODUCTION**

This guide was developed jointly by the U.S. Department of Labor, Wage and Hour Division (DOL-WHD) and the California Department of Housing and Community Development, Division of Codes and Standards (HCD). The purpose of the guide is to provide basic information to employee housing providers on the most restrictive housing requirements of the Federal and California laws and regulations that govern maintenance, use, and occupancy standards of living quarters for employees, primarily agricultural workers.

The information is based on laws and regulations in effect at the time this guide was printed. Should any of the information or requirements stated be superseded by changes in law and regulation, this publication likewise is superseded. The information is general and is not to be considered in the same light as official statements of positions contained in Interpretive Bulletins published in the Federal Register and the Code of Federal Regulations, in the official opinion letters of the Wage and Hour Division, or any official publication of HCD.

State of California summaries were derived from the California Health and Safety Code (HSC), Division 13, Part 1, Section 17000 through 17062, known as the Employee Housing Act, the California Code of Regulations (CCR), Title 25, Division 1, Chapter 1, Sections 600 through 940, and the California Code of Regulations, Title 24, the California State Building Code. The user of the guide should be aware that other California statutes and regulations not referenced may be applicable to employee housing.

The State of California Employee Housing Act applies to two types of employee housing: (1) living quarters provided for five (5) or more employees by the employer; and (2) housing accommodations or structures in specified rural provided for five (5) or more agricultural workers employed on a temporary, seasonal, or permanent basis, not maintained in connection with any work place.

Federal summaries were derived from the Occupational Safety and Health Act (OSHA) regulations found in Title 29, Code of Federal Regulations, Part 1910.142 and the Migrant and Seasonal Agricultural Worker Protection Act (MSPA) found in Title 29, Code of Federal Regulations Part 500. Housing providers who constructed labor camps prior to April 1980 and relied on Federal standards in effect prior to April 3, 1980, should contact the nearest Wage and Hour Division Office for guidance.

The Federal MSPA regulations protect migrant and seasonal agricultural workers in their dealings with farm labor contractors (FLCs), agricultural employers, agricultural associations, and providers of migrant housing. Health and safety regulations enforced under MSPA apply to temporary migrant housing regardless of the number of migrant or seasonal workers living there.

**The major part of this guide, “Housing Standards Requirements For Employee/Migrant Housing” chart, contains a summary of the Federal and California requirements for safe and sanitary housing conditions. The chart is printed side-by-side for comparison purposes and contains a subject column, a statutory and/or regulatory code authority column with brief summaries of statutory and/or regulatory language. The most restrictive language is designated by the pointed arrow (◄) symbol. Operators of farmworker housing must comply with the most restrictive requirements to ensure compliance with both Federal and California requirements.**

## SOURCES OF ADDITIONAL INFORMATION

More specific information can be obtained by:

### 1. Review of the following reference documents at law and public libraries:

- California Health and Safety Code, Division 13, Part 1, beginning with Section 17000.
- California Code of Regulations, Title 25, Chapter 1, beginning with Section 600.
- California Code of Regulations, Title 24, California State Building Code.
- Federal Migrant and Seasonal Agricultural Worker Protection Act
- Code of Federal Regulations, Title 29, Parts 500 through 500.270.
- Code of Federal Regulations, Title 29, Part 1910.142 (OSHA Reg.)

### 2. Obtaining or purchasing copies of documents as follows:

- CALIFORNIA HEALTH AND SAFETY CODE, DIVISION 13, PART 1 (Employee Housing Act ) can be purchased from:  
West Publishing Company, PO Box 64526, St. Paul, MN; telephone 800-328-4880.
- CALIFORNIA CODE OF REGULATIONS, TITLE 25, CHAPTER 1,  
and the CALIFORNIA CODE OF REGULATIONS, TITLE 24.  
Can be purchased from:  
Barclays Law Publishers, Attention: CCR/Agency Services Representative  
400 Oyster Point Blvd., PO Box 3006, South San Francisco, CA. 94083  
800-888-3600 or on the internet at <http://www.leginfo.ca.gov/calaw.html>
- MIGRANT AND SEASONAL AGRICULTURAL WORKERS PROTECTION ACT  
and OSHA REGULATION 1910.142.  
Can be obtained by contacting the Wage and Hour Division of the U.S. Department  
of Labor offices as shown on this page or on the internet at,  
<http://www.dol.gov/esa/whd/mspa/index.htm>

### 3. Contacting the appropriate government offices listed below:

If the housing is located in one of the following counties contact the county office listed below:

#### Fresno

Environmental Health Systems  
1221 Fulton Mall, 3<sup>RD</sup> Floor  
Fresno, CA 93775-1867  
(559) 445-3391

#### Kern

Environmental Health  
2700 M. Street, Suite 300  
Bakersfield, CA 93301  
(661) 862-8700

#### Merced

Environmental Health  
777 W. 22<sup>ND</sup> St.  
Merced, CA 95340  
(209) 381-1100

#### Monterey

Environmental Health  
1270 Natividad Road  
Salinas, CA 93906  
(831) 755-4500

#### Napa

Environmental Health  
1195 Third Street, 101  
Napa, CA 94559  
(707) 253-4471

#### Orange

Environmental Health Div.  
2009 E. Edinger Avenue  
Santa Ana, CA 92705  
(714) 667-3600

#### Sacramento

Environmental Health  
8475 Jackson Road, 240  
Sacramento, CA. 95826  
(916) 875-8484

#### San Benito

Building and Safety  
3224 Southside Road  
Hollister, CA 95023  
(831) 637-5313

#### San Joaquin

Public Health Services  
304 E. Weber Ave.  
Stockton, CA 95202  
(209) 468-3426

#### San Mateo

Health Services Agency  
455 County Center, 4<sup>th</sup> Fl.  
Redwood City, CA 94063  
(650) 363-4305

#### Stanislaus

Environmental Res.  
3800 Cornucopia Way, Ste. C  
Modesto, CA 95358-9492  
(209) 525-6700

#### Santa Cruz

Health Services Agency  
701 Ocean Street, Rm 312  
Santa Cruz, CA 95060  
(831) 454-2022

#### Tulare

Resource Management Agency  
5961 S. Mooney Blvd  
Visalia, CA 93277-939  
1-800-228-6133

### STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT DIVISION OF CODES AND STANDARDS

#### NORTHERN CALIFORNIA:

(North of Fresno County)  
9342 Tech Center Dr #550  
Sacramento, Ca. 95826  
(916) 255-2501

#### SOUTHERN CALIFORNIA

(South of Madera County)  
3737 Main Street, Ste 400  
Riverside, CA 92501  
(951) 782-4420

### U.S. DEPARTMENT OF LABOR WAGE & HOUR DIVISION

#### LOS ANGELES

300 South Glendale Ave., 400  
Glendale, CA. 91205-1752  
(818) 240-5274/75

#### SAN FRANCISCO

455 Market St., 800  
San Francisco, CA. 94105  
(415) 744-5590

#### WEST COVINA

100 North Barranca St., 850  
West Covina, CA. 91791  
(626) 966-0478

#### SACRAMENTO

2800 Cottage Way, Rm. W-1836  
Sacramento, CA. 95825-1886  
(916) 978-6123

#### SAN DIEGO

5675 Ruffin Rd, 320  
San Diego, CA. 92123-1362  
(619) 557-5606

## HOUSING STANDARDS REQUIREMENTS FOR EMPLOYEE/MIGRANT HOUSING

SUBJECT	CODE/REGULATION AUTHORITY	STATE	FEDERAL
CARETAKERS	CA HSC 17038 CCR 626, 627	A responsible person must be assigned by the operator to maintain the buildings and surrounding areas.	◀ Use state standard.
COMMUNICABLE DISEASES	CCR 738  Federal OSHA Reg. 1910.142(1)	Cooks for central mess halls must be certified by local health departments.	◀ Equal to State standard. <u>In addition...</u> Caretakers must report any communicable diseases, outbreak of food poisoning, and prevalent illnesses, such as jaundice, hepatitis, etc., to the local health department.
CONSTRUCTION AND REPAIR	CCR 652	All new construction and repairs must meet current building codes and standards or standards that were in effect when they were constructed. Contact the local building department for information and permits.	◀ Equal to State standard.
COOKING, KITCHENS, AND MESS HALLS	CCR 736-742  Federal OSHA Reg. 1910.142(i), 1910.142(b)(9), 1910.142(b)(10)	<p><b>KITCHENS:</b></p> <p>Kitchens, when provided, must be of adequate size and proper construction.</p> <p>Cooking areas must be clean and sanitary at all times.</p> <p>Refrigeration capable of maintaining a temperature of 45° F or below must be provided.</p> <p>Sufficient shelving space to store food supplies off the floor must be provided.</p> <p>Floors, walls, ceilings, tables, shelves, and counter tops must be made of cleanable materials and maintained in a clean and sanitary condition. (Also, see “Heating”)</p> <p><b>MESS HALLS:</b></p> <p>Mess halls must be certified by the local health Department and must comply with the California Uniform Retail Food Facilities Law. Health certificates must be posted.</p>	<p>◀ <b>KITCHENS:</b> Equal to State standard.</p> <p><u>In addition...</u></p> <p>Stoves provided must be at a ratio of not less than one stove to ten occupants or one stove to two families.</p> <p>◀ <b>MESS HALLS:</b> Equal to State standard.</p>

SUBJECT	CODE/REGULATION AUTHORITY	STATE	FEDERAL
ELECTRICAL	<p>CCR 850-896</p> <p>Federal OSHA Reg. 1910.142(g)</p> <p>Federal MSPA Reg. 500.134</p>	<p>Electrical equipment, devices, safeguards and service equipment must be maintained as follows:</p> <ul style="list-style-type: none"> <li>• good working order</li> <li>• secured in an approved manner when in use</li> <li>• protected from weather</li> </ul> <p>Fuses or circuit breakers must be used to protect electrical conductors.</p> <p>Grounding is required for fixed noncurrent carrying metal parts of electrical equipment.</p> <p>Grounded cords must be used with appliances such as washing machines and electrical systems of gas stoves.</p> <p>Outlets located adjacent to fixed appliances, lavatories, sinks, laundry tubs or within reach of a grounded surface must be in good working order.</p> <p>For lighting requirements see page 11.</p>	<p>◀ Equal to State and local building codes.</p>
ENFORCEMENT AND PENALTIES	<p>CA HSC 17037, 17050, 17054, 17060, 17061, 17061.5, 17061.7, 17061.9 17062</p> <p>Federal MSPA Reg. 500.140 – 500.146</p>	<p>The Employee Housing Act establishes authority for inspections, investigations and punitive action as follows:</p> <ul style="list-style-type: none"> <li>• suspension of a permit to operate</li> <li>• assessment of penalties</li> <li>• issuance of citations with civil penalties</li> <li>• civil action for an award of civil penalties (monetary)</li> <li>• criminal prosecution to obtain imprisonment</li> </ul> <p>The Employee Housing Act is enforced by HCD, except where local government assumes enforcement responsibility.</p> <p>Tenants/workers also may seek judicial remedies.</p>	<p>The Migrant and Seasonal Agricultural Worker Protection Act (MSPA) establishes authority for inspections, investigations, and punitive action as follows:</p> <ul style="list-style-type: none"> <li>• revocation of Federal permit</li> <li>• assessment of civil money penalties up to \$1,000 per violation</li> <li>• criminal prosecution to obtain imprisonment and/or monetary fines</li> </ul> <p>The Migrant and Seasonal Agricultural Worker Protection Act is enforced by DOL-WHD.</p> <p>Tenants/workers also may seek judicial remedies.</p>

SUBJECT	CODE/REGULATION AUTHORITY	STATE	FEDERAL
FIRE SAFETY	CCR 744, 746  Federal MSPA Reg. 500.134	<b>FIRE EXTINGUISHERS are required as follows:</b> <ul style="list-style-type: none"> <li>• Mess hall kitchens: Approved Class B-C extinguisher; minimum size 20 units</li> <li>• Dormitories: Approved Class A extinguisher; minimum size 2 units per 5000 square feet of floor area</li> </ul> No article or material that the enforcement agency determines to be a fire hazard will be maintained in or on the premises of employee housing.	◀ Equal to State standards.
FIRST AID	Federal OSHA Reg. 1910.142(k)	Use Federal standards ▶	First aid facilities must be maintained and made available.  A person trained to administer first aid must oversee first aid facilities.
GARBAGE AND REFUSE	CCR 742  Federal OSHA Reg. 1910.142(h), 1910.142(a)(4) 1910.142(i)	Use Federal standards ▶	Garbage containers must be: <ul style="list-style-type: none"> <li>• fly and rodent resistant, cleanable, plus single service containers must be provided on a metal or concrete stand</li> <li>• provided at a ratio of one container for each family or unit within 100 feet of shelter</li> <li>• equipped with tight fitting lids when located in a kitchen</li> <li>• emptied when full, but not less than twice a week</li> </ul>

SUBJECT	CODE/REGULATION AUTHORITY	STATE	FEDERAL
<p><b>HAND WASHING, BATHING, AND LAUNDRY</b></p>	<p>CCR 760, 762, 764, 766, 768, 774, 788, 790, 792</p> <p>Federal OSHA Reg. 1910.142(f)</p>	<p><b>HOT AND COLD RUNNING WATER MUST BE PROVIDED FOR BATHING.</b></p> <p><b>HAND WASHING:</b> Lavatories must be located adjacent to toilet facilities. Use Federal standard. ►</p> <p><b>BATHING:</b></p> <ul style="list-style-type: none"> <li>• One bathing facility must be provided for each 10 occupants of each sex when constructed after February 22, 1973. Employee housing constructed prior to February 22, 1973 must provide one bathing facility for each 15 occupants of each sex.</li> <li>• Bathing facilities must be clearly identified for “Men” or “Women”. The use of proper symbols will be permitted.</li> <li>• Showers must have adequate floor drains with walls and floors constructed of cleanable, noncorrosive and nonabsorbent waterproof materials.</li> </ul> <p><b>LAUNDRY:</b> Clothes washing machines, when provided must be maintained with proper vents and drains.</p>	<p><b>HOT AND COLD RUNNING WATER MUST BE PROVIDED FOR HAND WASHING, BATHING AND LAUNDRY.</b></p> <p><b>HAND WASHING (lavatories):</b> Basins must be provided at a ratio of one basin to every six occupants and/or one for each family unit.</p> <p>◀ <b>Bathing:</b> Equal to State standards.</p> <p><u>In addition...</u></p> <p>Shower heads to be provided at a ratio of one for every 10 occupants.</p> <p><b>LAUNDRY:</b></p> <ul style="list-style-type: none"> <li>• Laundry tray is required at a ratio of one to every 30 occupants.</li> <li>• Facilities for drying clothes must be provided (clothesline).</li> </ul>

SUBJECT	CODE/REGULATION AUTHORITY	STATE	FEDERAL
HEATING	<p>CCR 800-838</p> <p>Federal OSHA Reg. 1910.142(b)(11), 1910.142(f)(4)</p>	<p>Heating equipment is not required, except in shower rooms, unless it is necessary to maintain a mean temperature of 70° F during occupancy.</p> <p>Heating and cooking equipment must be maintained and equipped as follows:</p> <ul style="list-style-type: none"> <li>• good working order</li> <li>• clean and free of grease</li> <li>• vented</li> <li>• shut-off valve must be provided for gas heating appliances</li> </ul> <p>Gas hot plates, cook stoves and ranges cannot be used as room heaters.</p> <p>Clearances between the heating appliance and combustible materials must be maintained as follows:</p> <ul style="list-style-type: none"> <li>• solid or liquid fuel radiant heaters-36 inches</li> <li>• solid or liquid fuel circulating heaters-12 inches</li> <li>• gas circulating space heaters-6 inches</li> </ul> <p>Open space under heating appliance must be a minimum of 4 inches.</p> <p>Combustible floors must be protected with sheet metal, extending a minimum of 6 inches on all sides and 18 inches at the front or side where ashes are removed.</p>	<p>◀ Equal to State standards.</p>

SUBJECT	CODE/REGULATION AUTHORITY	STATE	FEDERAL
HOUSING SITE	<p>CCR 700-704, 710</p> <p>Federal OSHA Reg. 1910.142 (a)</p>	<p><b>DRAINAGE:</b> Premises must be free from depressions. Areas such as natural sinkholes and swamps within 200 feet of housing sites must be drained or filled. Irrigation drain ditches must be treated to prevent the breeding of mosquitoes, vermin, or vectors as approved by the local health department.</p> <p><b>LIVESTOCK:</b> Domestic animals and poultry cannot be permitted to run freely through camp areas.</p> <p><b>MAINTENANCE:</b> Buildings and surrounding areas must be kept safe, in a sanitary condition, in good working order, and free of rubbish, debris, and poisonous plants.</p>	<p>◀ <b>DRAINAGE:</b> Equal to State standards.</p> <p><u>In addition...</u></p> <p>Drainage cannot endanger any domestic or public water supply.</p> <p><b>LIVESTOCK:</b> No livestock can be quartered within 500 feet of housing structures.</p> <p>◀ <b>MAINTENANCE:</b> Equal to State standards.</p>
HOUSING STRUCTURE	<p>CCR 708-734, 736</p> <p>CCR Title 24</p> <p>Federal OSHA Reg. 1910.142(a), 1910.142 (b), 1910.142 (d) and 1910.142(f)</p>	<p><b>GENERAL</b></p> <p>Buildings must protect occupants from elements, be in good repair, safe and sanitary.</p> <p>Names or numbers must be clearly displayed to identify each building.</p> <p><b>FLOORS:</b> Kitchen floors must be covered with cleanable, moisture resistant material.</p> <p><b>WINDOWS:</b> All living quarters must have windows with size minimally equal to 10 percent of usable floor space and must be able to open at least one half way for ventilation.</p> <p><b>CEILINGS:</b> Must be minimum average of 7 feet high.</p>	<p>◀ Equal to State standards</p> <p><b>FLOORS:</b> Floors must be constructed of wood, asphalt, or concrete.</p> <p>Wood flooring must be elevated at least one foot from ground, and be of smooth, tight construction.</p> <p>◀ <b>WINDOWS:</b> Equal to State standards.</p> <p><u>In addition...</u></p> <p>Toilet rooms must have at least a six square foot window or similar ventilation.</p> <p>◀ <b>CEILINGS:</b> Equal to State standards.</p>



SUBJECT	CODE/REGULATION AUTHORITY	STATE	FEDERAL
<b>HOUSING STRUCTURE (continued)</b>	<p>CCR 708-734, 736</p> <p>CCR Title 24</p> <p>Federal OSHA Reg. 1910.142(a), 1910.142 (b), 1910.142 (d) and 1910.142(f)</p>	<p><b>ROOMS:</b></p> <p><b>Kitchen and mess halls:</b></p> <ul style="list-style-type: none"> <li>• Must be of adequate size and properly constructed.</li> <li>• Cannot be used for sleeping purposes.</li> </ul> <p><b>Toilet and bathing facilities:</b> Separate toilet room and bathing facilities required with adjacent lavatories.</p> <p><b>SLEEPING FACALITIES:</b></p> <p><b>Sleeping room:</b> Must be separated from other living space with at least 50 square feet of floor space for each occupant.</p> <p><b>Beds:</b> A suitable, separate bed, constructed of sturdy and comfortable material must be provided to each occupant.</p> <p><u>In addition...</u></p> <p>Occupants must be supplied with bedding upon request. A reasonable charge is allowed. This bedding must be maintained in a clean and sanitary manner.</p> <p>Spacing of single beds: Use Federal standards ►</p> <p>Spacing of bunk beds:</p> <ul style="list-style-type: none"> <li>• 4 feet between beds</li> <li>• 30 inches between lower and upper bunk.</li> <li>• triple beds are not allowed</li> </ul> <p>Storage: Use Federal standards ►</p>	<p>◀ <b>Kitchens and mess halls:</b> Equal to State standards</p> <p><b>Toilet and bathing facilities:</b> Toilet rooms must be accessible without passing through sleeping room.</p> <p>◀ <b>Equal to State Standards</b></p> <p><b>Beds:</b> A clean bed, cot or bunk must be provided to each occupant.</p> <p>Spacing of single beds:</p> <ul style="list-style-type: none"> <li>• 3 feet between beds</li> <li>• 1 foot above floor</li> </ul> <p>◀ <b>Bunk beds:</b> Equal to State standards</p> <p>Storage: Storage facilities such as lockers must be provided in rooms.</p>

SUBJECT	CODE/REGULATION AUTHORITY	STATE	FEDERAL
<b>INSECTS AND RODENTS</b>	<b>CCR 704</b>  <b>Federal OSHA Reg. 1910.142(j)</b>	<b>Shelter must be free of vermin, vectors, and other matter of an infectious or contagious nature.</b>	<b>◀ Equal to State standards.</b>
<b>LIGHTING</b>	<b>CCR 872, 874, 880, 882, 884</b>  <b>Federal OSHA Reg. 1910.142(g)</b>	<b>Habitable rooms:</b> <ul style="list-style-type: none"> <li>• <b>At least one convenience outlet and one light fixture.</b></li> <li>• <b>Bathroom and toilets: at least one light fixture</b></li> <li>• <b>Light fixtures over tub or shower must be moisture proof, with enclosure and gaskets, and in good condition.</b></li> <li>• <b>Switches for tub or shower lighting or fan, must be in dry location outside tub or shower space.</b></li> <li>• <b>Pull chain switches must not be maintained in damp location, and not over or within reach of a plumbing fixture, cook stove, range, furnace, and other grounded surface, such as concrete floors.</b></li> </ul>	<b>◀ Equal to State standards.</b>



SUBJECT	CODE/REGULATION AUTHORITY	STATE	FEDERAL
PERMITS TO OPERATE HOUSING	<p>CCR 626, 627, 631, 633, 634, 641</p> <p>Federal MSPA. Sec. 203(a) 203(b)(1) and (2)</p> <p>Federal MSPA Sec. 500.135</p>	<p>Operators must apply for, and obtain, a permit to operate prior to having five or more employees occupy a facility.</p> <p>Operators must apply for a permit at least 45 days prior to occupancy.</p> <p>Permit applications must be submitted to the applicable State or local enforcement agency.</p> <p>Permit (or copy) must be displayed in a conspicuous place at the housing facility.</p>	<p>Operators must obtain, from an applicable local or State agency, a permit to operate prior to any migrant or seasonal worker occupying a facility.</p> <p>For FACILITIES HOUSING FEWER THAN FIVE WORKERS contact the DOL-WHD office nearest your location (see page 3).</p> <p>Permit (or copy) must be displayed in a conspicuous place at the housing facility.</p>
POSTING OF REQUIRED INFORMATION	<p>CCR 624, 625</p> <p>Federal MSPA Reg. Sec. 500.75(f), 500.75(g)</p>	<p>The following must be posted in a conspicuous place at the facility through the duration of the housing use:</p> <ul style="list-style-type: none"> <li>• Information Notice from the enforcement agency</li> <li>• Permit to operate (or copy)</li> <li>• Name, address and telephone number of Caretaker</li> </ul>	<p>The following must be posted in a conspicuous place at the facility through the duration of the housing use:</p> <ul style="list-style-type: none"> <li>• Permit to operate (or copy)</li> <li>• Name, address of housing provider and caretaker</li> <li>• Mailing address and telephone number of the facility.</li> <li>• Terms and conditions of housing.</li> </ul>
SCREENS	<p>CCR 728</p> <p>Federal OSHA Reg. 1910.142(b)(8), 1910.142(d)(2)</p>	<p>Windows that open to the outside in rooms used for living, dining, cooking, sleeping purposes, bathing and toilet facilities must be maintained with insect screening of less than 16 mesh per inch material.</p> <p>Exterior door openings must have insect-proof screen doors or solid doors with self-closing devices.</p>	<p>◀ Equal to State standards</p>
SEWAGE	<p>CCR 784-792</p> <p>Federal OSHA Reg. 1920.142(e)</p> <p>Federal MSPA Reg. 500.134</p>	<p>Facilities must be provided for disposal of sewage.</p> <p>Waste liquids cannot be permitted to collect on the ground.</p> <p>Traps, vents, lines, and drains related to underground septic tanks, and sewage systems must be covered, structurally sound, maintained and water tight.</p>	<p>◀ Equal to State standards</p> <p><u>In addition...</u></p> <p>Facilities must be connected to public sewer lines, if available.</p>

SUBJECT	CODE/REGULATION AUTHORITY	STATE	FEDERAL
TENTS	<b>CCR 910</b>  Federal MSPA Sec. 203(a) Federal MSPA Sec. 500.134	<b>Floors must meet the following requirements:</b> <ul style="list-style-type: none"> <li>• construction of tight wooden material</li> <li>• at least four inches off the ground</li> <li>• base boards on all sides to a height of at least 6 inches</li> </ul> <p>Tents are not considered suitable sleeping facilities when temperatures fall below 60° degrees Fahrenheit.</p>	<b>◀ Use State Standards</b>
TOILETS	<b>CCR 760-766</b> Federal OSHA Reg. 1910.142(a)(4), 1910.142(d)	<p><b>TYPE:</b> Water flush toilets are generally required and may be combined with urinals. Other systems, such as chemical toilets, may be used with written approval from the local health department.</p> <p><b>LOCATION:</b> Use Federal standards. ▶</p> <p><b>QUANTITY:</b> One toilet for each 10 occupants of each sex for facilities constructed after February 22, 1973. One toilet for each 15 occupants in facilities constructed before February 22, 1973.</p> <ul style="list-style-type: none"> <li>• Toilets shall be clearly identified for “MEN” or “WOMEN”. The use of proper symbol is permitted.</li> <li>• Urinals: One of every three required toilets may be substituted with an approved urinal in toilet rooms designed for men.</li> </ul> <p><b>MAINTENANCE:</b> Use and repairs cannot be hazardous to public health, safety, or welfare. Plumbing systems must be kept clean and in good working order.</p>	<p><b>◀ TYPE:</b> Equal to State Standards</p> <p><b>LOCATION:</b> Toilet facilities must be located within 200 feet of living units.</p> <p><u>In addition...</u></p> <p>Privies/chemical toilets, (when permitted by local health departments), cannot be located closer than 100 feet to living unit.</p> <p><b>◀QUANTITY:</b> Equal to State standards</p> <p><b>◀ URINALS:</b> Use State Standards.</p> <p><u>In addition...</u> Urinals must be provided; ratio at one unit for each 25 men.</p> <p><b>◀ MAINTENANCE:</b> Equal to State Standards</p> <p><u>In addition...</u></p> <ul style="list-style-type: none"> <li>• toilet paper must be provided</li> <li>• facilities must be cleaned daily</li> <li>• lights must be on in toilet room during dark hours</li> </ul>

SUBJECT	CODE/REGULATION AUTHORITY	STATE	FEDERAL
WATER SUPPLY	<p>CCR 770, 772, 774</p> <p>Federal OSHA Reg. 1910.142(c), 1910.142(f)(3), 1910.142(i)</p>	<p><b>MIANTAINANCE:</b> Supply system and distribution lines must be maintained to provide service at normal operating pressure to all fixtures.</p> <p><b>QUALITY:</b> Drinking water must be potable. Testing by the local health department is required annually, also when major repairs or alterations have been made to the system or when purity is questioned. Hot and cold water under pressure required for cooking and bathing facilities. Any toilet or other plumbing fixture shall be maintained to prevent siphonage of water back into the water system.</p> <p><b>AVAILABILITY:</b> Exterior faucets must be placed at suitable and convenient locations. Common drinking cups are not allowed.</p> <p><b>QUANTITY:</b> Use Federal standards.</p> <p><b>STORAGE:</b> Storage tanks or receptacles must be clean and covered</p>	<p>◀ <b>MAINTENANCE:</b> Equal to State Standards</p> <p>◀ <b>QUALITY:</b> Equal to State Standards</p> <p>◀ <b>AVAILABILITY:</b> Equal to State Standards</p> <p><u>In addition...</u></p> <p><b>Drinking fountain</b> is required if camp has water pressure.</p> <p><b>QUANTITY:</b> Minimal requirement is 35 gallons a day for each person with peak rate at 2 ½ times average hourly demand.</p> <p>◀ <b>STORAGE:</b> Equal to State Standards</p>

# Appendix B

**Santa Cruz County**

124 Gonda St. Lot  
proposed for  
Development

*Pajaro River*

Neighboring Easterly Parcel currently being  
farmed Certified Organic but also zoned HDR/20  
and located within the Pajaro Community Area

SAN JUAN RD

PORTER DR



SALINAS RD

ALLISON RD

RAILROAD AVE

LEWIS RD

HAYES RD

 Community Area  
 Parcel

# COMMUNITY AREAS

## PAJARO



0 2,000 Feet

Map Prepared by Monterey County Planning Department,  
December 18, 2009.

**Figure # CA5**

Photo Date: 2007