

Attachment D

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b) If you are appealing one or more conditions of approval, list the condition number and state the condition(s) you are appealing. (Attach extra sheet if necessary) N/A

6. Place a check mark beside the reason(s) for your appeal:

There was a lack of fair or impartial hearing _____

The findings or decision or conditions are not supported by the evidence X

The decision was contrary to law X

7. Give a brief and specific statement in support of each of the reasons for your appeal checked above. The Board of Supervisors will not accept an application for an appeal that is stated in generalities, legal or otherwise. If you are appealing specific conditions, you must list the number of each condition and the basis for your appeal. (Attach extra sheets if necessary)

Please see attached letter and related exhibits for specific reasons for the appeal

8. As part of the application approval or denial process, findings were made by the decision-making body (Planning Commission, Zoning Administrator, or Chief of Planning). In order to file a valid appeal, you must give specific reasons why you disagree with the findings made. (Attach extra sheets if necessary)

Please see attached letter and related exhibits for the specific reasons why the applicant disagrees with the findings made

9. You must pay the required filing fee of \$3,572.00 (make check payable to "County of Monterey") at the time you file your appeal. (Please note that appeals of projects in the Coastal Zone are not subject to the filing fee.)

10. Your appeal is accepted when the Clerk to the Board accepts the appeal as complete and receives the required filing fee. Once the appeal has been accepted, the Clerk to the Board will set a date for the public hearing on the appeal before the Board of Supervisors.

The appeal and applicable filing fee must be delivered to the Clerk to the Board or mailed and postmarked by the filing deadline to PO Box 1728, Salinas CA 93902. A facsimile copy of the appeal will be accepted only if the hard copy of the appeal and applicable filing fee are mailed and postmarked by the deadline.

APPELLANT SIGNATURE



Date: 10/31/22

JRG Attorneys at Law, Jason S. Retterer, Esq.

RECEIVED SIGNATURE _____

Date: _____



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October 31, 2022

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Monterey County Board of Supervisors
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**Re: Basis for Appeal of Planning Commission Resolution No. 22-024
(Rio Vista Group LLC PLN210152)**

Dear Chair Adams and Members of the Board of Supervisors:

Our office represents Rio Vista Group LLC, the applicant for the above referenced project. The applicant hereby appeals the Planning Commission denial of the applicant's combined development permit consisting of a (1) use permit to allow the construction of four 16, 286 square foot two story buildings totaling 60 units for agricultural workforce housing and one manager unit and related site improvements and (2) a variance to increase the required building site from 5% to 27% (the "Project").

As this Board is aware, Monterey County is in dire need of safe and affordable farmworker housing units to support the County's agricultural industry. Monterey County and every other city in this County is struggling with severe overcrowding within existing residential neighbors. This Project will help relieve this pressure on other residential communities. Unfortunately, and despite your Planning Staff's thorough analysis of this Project's consistency with the County's land use regulations, your Agricultural Advisory Committee's recommendation that this Project be approved, and the lack of significant environmental effects, the Planning Commission denied the Project based on unsubstantiated opinions, fears, and speculation from the nearby neighbors. Moreover, the applicant team retained experts to respond to all these claims and the Planning Commission's concerns. All these experts confirmed that this project can be constructed and operated safely with minimal impacts on the surrounding residential neighborhoods. The applicant has listened to the community and the Planning Commission's concerns and has worked diligently

and in good faith with County Staff to design a project that conforms to all applicable land use regulations and codes.

For the reasons set forth in more detail below, we respectfully request that you grant this appeal and allow this critically needed housing project to move forward.

A. The Planning Commission’s Finding No. 1 that the Project does not conform to applicable plans and policies is not supported by substantial evidence.

The Planning Commission found that “communications were received during the course of review the project suggesting that the project *may* be inconsistent with applicable plans and policies” and that the Planning Commission did not have sufficient evidence to support a finding of consistency with applicable text.” However, this finding is not supported by substantial evidence. Instead, this finding is based on unsubstantiated opinions or narrative, fears and speculation from the nearby neighbors, and evidence that is simply not credible, which a long line of legal precedent has held that does not constitute substantial evidence.

On the other hand, your Planning Staff, included all of the analysis and details that were set forth in the three separate Planning Commission staff reports that were presented to the Planning Commission at their February 9, March 16, and September 28 hearings. The Planning Commission was also presented with a detailed, 23-page draft resolution approving the Project that included detailed findings along with evidence and facts to support these findings. See **Exhibit A**. The resolution contains detailed findings regarding this Project’s consistency with the various, goals, policies, and objectives in the County’s 2010 General Plan. The resolution also substantiates this Project’s consistency with applicable zoning requirements and includes detailed findings that support and justify a variance from the County’s lot coverage requirements. The same findings provide a sound legal and factual basis for the Board to grant this appeal and approve the project.

Specifically, the Planning Commission’s finding (Finding 1(g)) that the Project’s proposed 100-foot buffer is inconsistent with the 200-foot buffer requirement that is set forth in the County’s zoning ordinance is not a legal basis to deny this Project. As the Planning Commission acknowledges in this same finding, this 200-foot buffer requirement is a relic of the 1982 General Plan and was adopted in response to Policy 30.0.2 contained in the 1982 General Plan. However, the 2010 General Plan, specifically Policy AG 1.2, eliminated any 200-foot buffer requirement and instead replaced a numeric buffer requirement with a series of criteria that would be used to evaluate an appropriate buffer between future development and adjacent agricultural land. As the Planning Commission correctly notes in this same finding, California

Government Code Section 65860 requires that all County ordinances be consistent with the General Plan. Accordingly, and even though the County zoning ordinance has not been amended yet to implement this policy, the 2010 General Plan governs over any conflicting zoning regulation, which is invalid on its fact.

Based on the criteria that was set forth in the 2010 General Plan, the County's Agricultural Advisory Committee ("AAC") reviewed the Project, including the proposed 100-foot buffer requirement, and recommend that the Planning Commission approve the Project. This is precisely the process that the Policy AG 1.2 of the 2010 General Plan requires. According to Policy AG 1.2, "the Agricultural Advisory Committee shall review and make recommendations on the establishment of, and changes to, buffer zones."

Despite the ACC's (final arbiter of the establishment of an appropriate buffer) recommendation, the Agricultural Commissioner, at the eleventh hour and during the September 28, 2022 and unbeknownst to the applicant team, claimed for the first time that a 150 foot agricultural would be required due to his discussions with a neighboring owner and known opponent of this Project that the adjacent farm would be converted at some time in the future from its current and historic organic farming to conventional farming. Such statements are not credible considering that the adjacent farm is currently leased to an organic farmer and the significant value and demand for organic farmland. Moreover, the neighboring owner submitted a development application (PLN060217 – Miller Trust Commercial Project) to convert this farmland to a commercial use, which assuming this application is approved, the organic farm would be converted to a commercial use, not conventional farming. The neighboring owner applied for a subdivision map to create three parcels to accommodate a 178,695 square foot commercial big box retail building, a 20,000 square foot garden center, 870 parking spaces, a well and tank lot, and a right of way conveyance to the County. On February 7, 2020, the County of Monterey released a Notice of Preparation of a Draft Environmental Impact Report for this project. See **Exhibit B**. We urge the Board to make its decision based on the current organic use of the adjacent farm rather than a statement by a Project opponent, who is clearly biased and contemplating future buildout of the site, about some hypothetical future conversion of this farm to conventional farming.

B. The Planning Commission's Finding No. 2 that the site is not suitable for the Project is not supported by substantial evidence.

The Planning Commission's finding that his site is somehow unsuitable for the Project is based on lay person claims and unsubstantiated opinions about this project's potential safety impacts relating to flooding, the limited bus trips that will occur only when this Project is

occupied for the 8-month harvest season, proximity to agricultural fields, and liquefaction. All the issues were addressed by the applicant's team of experts, including the applicant's traffic engineer, civil engineer, geotechnical engineer, and hydrologist. Your staff also confirmed in its detailed draft findings of approval for this Project, specifically Finding No. 2 that this site is suitable for the Project. These reports, which we encourage you to read, are referenced in the various Planning Commission staff reports and are attached as exhibits thereto.

In response to concerns about flooding and liquefaction risk, the applicant submitted the following technical reports and analysis, which are incorporated herein by this reference:

- **Addendum to Address the High Liquefaction for the Four Proposed Two-Story Apartment Buildings for Agricultural Housing Project to be Located at 0 Susan Street, APN 117-361-016, in Pajaro, California, dated July 1, 2022, Soil Surveys Group Inc.** (concludes that "In our opinion, the risk of damaging liquefaction and/or differential compaction and settlement during a major seismic event is considered to be low, provided the sub-excavation and recompaction of the upper 5.0 feet of the native material; the addition of an additional 2 feet of compacted fill over overburden, and the foundation system is designed as recommended are included in the project construction documents." Further concludes that "the liquefaction hazard risk is reduced to a low hazard provided the recommendations of our Report [the original Geotechnical and Infiltration Investigation, dated October 8, 2021] and Addendum are followed." (Note that implementation of these recommendations is required in draft Condition No. 33 of the Staff's proposed resolution approving this Project).
- **Assessment of Potential Flood Hazard Impacts Related to the Susan Street Agricultural Housing Project, County of Monterey, dated May 27, 2022, Balance Hydrologics, Inc.** (states "In summary, review of the 100 year flood depth results presented in the recently completed two-dimensional hydraulic modeling provide substantial evidence that fill associated with the proposed Project will not have a significant adverse impact on adjacent properties.")
- **Flood Elevation Memo, dated September 13, 2022, Whitson Engineers** (states "The FEMA Flood Insurance Rate Map designation for the parcel (Zone AO, 1 foot depth) results in a minimum Finished Floor Elevation for each building as given in Table 1, below. As shown, the proposed Finished Floor Elevation of 35.5' is higher than the minimum required, therefore the four proposed buildings satisfy County floodplain development requirements. Further states "The proposed Finished Floor Elevation of

35.5' is also 0.1' higher than the corrected modeled flood elevation provided by the Pajaro Regional Flood Management Agency.”

Accordingly, and contrary to any other statements that this Project will somehow create a flood risk to Project residents and surrounding homes, this Project can be safely constructed and occupied. Moreover, these technical reports and conclusions have been reviewed by County staff, who have concurred with these conclusions. As your planning staff explained in their 9.28.22 staff report to the Planning Commission, all the various design measures that have been incorporated into the project “will protect the occupants of the project in the event of a flood by elevating the site and buildings above projected flooding elevations.”

The applicant has also prepared and will implement an Emergency Action Plan (“EAP”). The EAP includes emergency contact info, before- during – and after-evacuation procedures, specific duties of tenants, transportation arrangements, the draft North County Evacuation Guide (prepared by the Monterey County Office of Emergency Services) and a site plan illustration evacuation routes and areas of refuge.

In response to neighbor concerns about the adequacy of Susan Street to accommodate bus and vehicle traffic from the Project, the applicant team submitted the following technical report:

- **Susan Street Apartments Transportation Impact Analysis, Pajaro, Monterey County, CA – Response to Comments from General Public PLN 2100152, dated January 28, 2022, Keith Higgins Traffic Engineer** (states that “Although there will be a noticeable increase from virtually no traffic at the current time, it will be well within acceptable levels of traffic for a residential street.” “Based on the traffic counts at the Boronda Villas Agricultural Housing project (Boronda Villas), “the Project would generate about 145 daily trips with only four in the AM peak hour and about thirty-six in the PM peak hour. Based on the small number of traffic trips and the seasonal nature of the Project, which would only be occupied by a caretaker for 2-4 months per year, the traffic engineer concluded that “the Project site would have minimal impact on the neighborhood.” Finally, the traffic engineer also correctly notes that the Project is required to construct sidewalks and curb and gutters along Susan Street, which would improve pedestrian safety along this street and avoid potential conflicts with Project traffic.

While there may be fear of the unknown and speculation that this Project would somehow create a traffic hazard and risk to residents and children, the expert opinion and analysis, which

has been peer reviewed by the County's traffic and transportation planners, demonstrate that this Project can be operated safely.

We again urge the Board to carefully review the Finding No. 2 on pages 16-17 of the draft resolution attached as **Exhibit A**. That finding references all the technical reports and studies that were prepared for this application that document the suitability of this site for this Project. These reports include a biological assessment, air quality and greenhouse gas assessment, archaeological report, geotechnical report, Phase 1 and II environmental site assessment, stormwater control plan, noise study, traffic analysis, flood hazard assessment, and supplemental drainage study. All these studies, along with the supplemental studies referenced above, and the detailed Initial Study that supports a Mitigation Negative Declaration for this Project provide substantial evidence that this Project site is suitable for this Project. The Planning Commission ignored or disregarded this technical data, and instead chose to rely upon the unsubstantiated opinions and fears of neighbors, who have no expertise in analyzing impacts such as flooding, liquefaction, traffic, and health and safety impacts, to deny this Project. This kind of "evidence" does not constitute "substantial evidence" that supports a finding that this site is not suitable for this Project.

C. The Planning Commission's Finding No. 3 that the Project may be detrimental to the health, safety, peace, morals, and general welfare of persons residing or working in the neighborhood of the Project is not supported by substantial evidence.

The Planning Commission's finding that this Project will be detrimental to the health, safety and welfare of the people is based on the same unsubstantiated opinion or narrative, fears and speculation that purports to support its other findings. Specifically, the finding states that "the project would place 480 people in a floodplain, on a site with known liquefaction, at the end of a narrow dead-end road making evacuation of the area more difficult, and place people less than 200 feet from activate agricultural use which can lead to pesticide exposure." However, there is no substantial evidence to support any of these statements, which ignore the various design features that have been incorporated into the Project that would protect Project residents for the various dangers noted in this Finding. For example, the finding fails to acknowledge that the site will be elevated above the floodplain, a construction technique that is routinely implemented and has been implemented for new development within floodplain areas of the County. The finding also ignores traffic studies that demonstrate that Susan Street is wide enough to accommodate Project traffic in the event there is a need to evacuate Project residents.

Finally, there is no substantial evidence to support the claim that placing residents within two hundred feet of active agricultural sites can lead to exposure pesticides from wind drift. This standard is an arbitrary numeric standard with no scientific support in the administrative record and is a relic of a 40-year-old General Plan that has no legal effect. It also ignores the AAC's recommendation of approval of this Project and the proposed 100-foot buffer. The ACC consists of the thirteen members who represent agricultural interests of the County and have their primary income derived from agricultural operations. The AAC is uniquely qualified to evaluate and decide whether there would be risk of pesticide drift from a farming operation to an adjacent housing project. Moreover, and as discussed above, the adjacent farm is currently leased by an organic farmer and is in organic production.

Based on the foregoing, we respectfully ask the Board to grant the applicant's appeal and approve the combined development permit for this Project. The applicant team has listened to the surrounding neighbors and the Planning Commission and has designed a housing project that is safe, conforms to the County land use regulations, and results in minimal impacts to the surrounding residential neighborhood. According to the "Farmworker Housing Study and Action Plan for the Salinas Valley and Pajaro Valley" that the California Institute for Rural Studies prepared in June 2018, "an additional 45,560 units of farmworker housing are need to alleviate this overcrowding." (See the Executive Summary of this Study, attached as **Exhibit C**). The Project will help relieve the critical overcrowding of farmworker households that exist in this County.

Respectfully Submitted,

JRG Attorneys at Law



Jason S. Retterer

EXHIBIT A

EXHIBIT B

Before the Planning Commission in and for the County of Monterey, State of California

In the matter of the application of:

RIO VISTA GROUP LLC (PLN210152)

RESOLUTION NO. 22--

Resolution by the Monterey County Planning
Commission:

- 1) Adopting a Mitigated Negative Declaration pursuant to Section 15074 of the CEQA Guidelines;
- 2) Approving a Combined Development Permit consisting of:
 - a. Use Permit to allow the construction of four 16,286 square foot two-story apartment buildings totaling 60 units for agricultural workforce housing and 1 manager unit, and associated site improvements including 17,500 cubic yards of grading; and
 - b. Variance to increase the required building site coverage from 5% to 27%; and
- 3) Adopting a Condition Compliance and Mitigation Monitoring and Reporting Plan.

[PLN210152, RIO VISTA GROUP LLC, 51, 53, 55
& 57 Susan Street, Royal Oaks, North County Area
Plan (APN: 117-361-016-000)]

The RIO VISTA GROUP LLC application (PLN210152) came on for public hearing before the Monterey County Planning Commission on February 9, 2022, March 16, 2022 and September 28, 2022. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
EVIDENCE: a) During the course of review, this project has been reviewed for consistency with the text, policies, and regulations contained in:
 - the 2010 Monterey County General Plan;
 - North County Area Plan; and
 - Monterey County Zoning Ordinance (Title 21).Communications were received during the course of review of the project suggesting that the project may be inconsistent with some of the

applicable policies. Concerns raised during review can be summarized as: inconsistency with neighborhood character, potential impacts of added traffic on a narrow residential road, potential fire hazards, flooding impacts, traffic impacts on San Juan Road, lack of proper notice, lack of notice in Spanish, and concerns regarding existing water use assumptions. Comments have been considered in review of this application, however, as documented in this resolution, the evidence demonstrates consistency of the project with the applicable text policies and regulations.

- b) Project. This project includes the construction of four 16,286 square foot two-story apartment buildings containing a total of 60 units for agricultural workforce housing plus 1 manager unit. Each unit contains two bedrooms capable of supporting four beds per room (eight beds per unit), a shared kitchen and dining room. The manager unit, located on the first floor of Building A, contains an office with a restroom, living area, kitchen, bedroom and bathroom. Laundry rooms are located on the first floors for Buildings B & D and a recreation room is located on the first floor of Building C. The project will have 121 parking spaces; 6,266 square feet of turf for outdoor sports and recreation; a 3,220 square foot multi-use play court striped for basketball and volleyball; a 4,900 square foot looped fitness pathway; 3,032 square feet of outdoor seating; and 1,966 square feet of open space gardens. The project also includes construction of sidewalk improvements along the west side of Susan Street and intersection of San Juan Road, and 17,500 cubic yards of grading (8,000 cubic yards of excavated material from the adjacent County stormwater detention pond [APN: 117-381-031-000], and 9,500 cubic yards of imported fill). Excavation of the County stormwater detention pond will enlarge and improve the existing facility. See Finding 3, Evidence “e.”
- c) Allowed Use. The property is located at 51, 53, 55 & 57 Susan Street, Royal Oaks (Assessor’s Parcel Number 117-361-016-000), North County Area Plan. This property is within the Pajaro Community Area as shown in Figure CA5 of the 2010 General Plan. Community Areas have been identified as appropriate areas for growth and are the top priority for development in the inland area of Monterey County (see Policy LU-1.19). The parcel has three separate zoning districts: Farmlands with 40 acres per unit (F/40), Resource Conservation 40 acres per unit (RC/40), and High Density Residential, 20 units per acre (HDR/20). The “HDR/20” zoning occupies a narrow strip along the front of the property where it connects with Susan Street. The “RC/40” zoning occupies a small portion of the rear of property where it meets the Pajaro Levee. The “F/40” zoning covers the majority of the parcel. All buildings are proposed within the Farmland zoning district. No development is proposed in the RC/40 zone and roads, parking, and infrastructure will be located in the HDR/20 zone. The Farmlands zoning district allows agricultural employee housing consisting of more than 12 units or 37 beds in group quarters with a Use Permit in each case [Monterey County Code (“MCC”) Section 21.30.050.AA]. The criteria to grant a Use Permit has been met in this case as described herein. A Variance is also required to exceed the project site’s maximum allowable lot coverage, as

established in the Farmland zone, of 5% to 27%. See Findings 5, 6, and 7, and supporting evidence.

- d) Lot Legality. This 3.41 acre lot was created by deed prior to 1972, when subdivision map requirements became effective for lots over 2 acres. The subject parcel is a portion of the 5.95 acre parcel of land shown on the certain map entitled “The Purpose of this Map is Reversion to Acreage,” filed for record on March 25, 1949, in Volume 5 of Cities and Towns, Page 31. The 5.95 acre parcel of land is modified by the portion conveyed by Robert Kall et. al., to J.W. King, et. al. by deed dated November 14, 1950, and recorded December 4, 1950, in Volume 1264, Official Records of Monterey County at page 147. The 5.95 acre parcel of land is further modified by that portion conveyed by Robert Kall to Jacob King, et. ux., by deed dated August 7, 1953, and recorded December 4, 1950, in Volume 1472, Official Records of Monterey County at page 223. Additionally, the 5.95 acre parcel is modified by that portion conveyed by Robert Kall to Julian Perez, et. ux., by deed dated November 20, 1965, and recorded December 13, 1965, in Reel 438, Official Records, at page 46. The deeds were created prior to 1972, and the county recognizes the parcel as modified above as a legal lot of record.
- e) Development Standards. The project is subject to the development standards of the “F/40” or “Farmlands” zoning district (MCC Section 21.30.060). The project maintains setbacks of 57 feet from the front, 30 feet and 65 feet 6 inches from the sides (west and east, respectively), and 36 feet and 11 inches from the rear. The proposed project height is 34 feet and 6 inches from average natural grade, which is within the 35-foot maximum. The project exceeds the building site coverage regulations for the Farmland zoning district, which restricts building site coverage to 5%. The site is 3.41 acres in size (148,536 square feet) and at 5%, the maximum building site coverage would be 7,426 square feet. The project proposes 39,771 square feet or approximately 27% of the lot size. A Variance is requested to allow the additional lot coverage. See subsequent Evidence “k” and Findings 5, 6, and 7 and supporting evidence.
- f) Employee Housing Facility Plan. MCC Section 21.66.060 establishes criteria for consideration of Use Permits for agricultural employee housing projects. These regulations require that a facility plan be submitted with the application. The applicants included an employee housing facility plan that states that the Rio Vista Group LLC will be responsible for housing maintenance and up-keep. The facility plan states that the housing project would be occupied primarily during the Salinas Valley harvest season from April through November. Additionally, the facility plan states that the housing is designed to accommodate 480 agricultural employees without dependents with each unit serving up to eight (8) people. The letter also includes a project description of the site, listing the four (4) two-story permanent apartment style buildings on a 3.41 acre parcel consisting of 60 apartment units, two (2) laundry facilities, one (1) manager unit, and one (1) recreation room for agricultural employees. The facility plan also states that the agricultural employees will be dispersed throughout the agricultural fields in Monterey County as the listed location of work. The facility plan proposes connection to the Pajaro/Sunny Mesa Community Services

District (PSMCD) for water and sewer. The project will be made available to Domestic agricultural employees and to employees working in the United States with an H-2A visa. The H-2A temporary agricultural program allows agricultural employers to bring nonimmigrant foreign workers to the U.S. to perform agricultural labor or services of a temporary or seasonal nature. Under the Department of Labor requirements for employee housing, employers must provide housing at no cost to H-2A workers and my charge a “reasonable cost,” as determined by the Secretary of Labor, to an employer of furnishing any employee with board, lodging, or other facilities, if such board, lodging, or other facilities are customarily furnished by the employer to his employees (Code of Federal Regulations, Title 29 Part 531). Therefore, the applicants have included information required to satisfy the findings of the facility plan pursuant to Title 21, Section 21.66.060.

- g) Agriculture. The project site is located in the Pajaro Community Area as designated in Policy LU-2.21 and Figure CA5 of the 2010 General Plan. The project is designated as Farmlands and the proposed project will be used for agricultural purposes (agricultural employee housing). Pursuant to Policies AG-1.4 and AG-2.1, farmworker housing is an agricultural support use and considered a viable agricultural land use. The proposed project is an allowed use by Policy AG-1.6, which allows for farmworker housing consistent with the surrounding land uses, minimizing impacts to prime farmland to the extent possible. Based on Monterey County Geographic Information System mapping, the project site is considered prime or important farmland. The project results in the conversion of vegetable row crop production to employee housing. However, the 3.41-acre site is not large enough to sustain vegetable production and employee housing, and there is no feasible alternative location on this property that would avoid or minimize development on areas suitable for row crop production. The agricultural workforce housing for the project will support Monterey County’s agricultural industry and will be located in a Community Area on a small parcel. Row crop and farmlands exist on the eastern boundary of the property (not down-wind from the prevailing winds from the west and north). To minimize impacts on on-going agricultural uses, the project has been designed with a 100 foot buffer from agricultural operations to the east. Parking will be located within the buffer and the applicant proposes to plant trees within the landscaped area and parking area to aid with protections from on-going operations. Farming on the property to the east is currently “organic.” Further, the project is supported by Policy H-2.11 of the 2010 General Plan Housing Element, which supports private sector partnerships to increase the supply of farmworker housing. On January 27, 2022, the Agricultural Advisory Committee voted 6-0 with 5 members absent to recommend “support” of this project as proposed (see subsequent Evidence “s”).
- h) Flooding. The project is located within the 100-year FEMA floodplain of the Pajaro river and is offered some protection from floods by the existing levee on the southern side of the river (north end of project site). In the past, the Pajaro Levee has failed and flood waters from the river have impacted this site and the surroundings. The County owns stormwater detention pond, adjacent east of the subject property, which

was designed and installed after, and in response to, the 1995 floods to provide additional runoff storage and protections for the area. The project has been reviewed by HCD-Environmental Services, HCD-Engineering Services and the County Floodplain Manager to ensure that the project will not substantially alter the flood plain flows or elevations. The project engineer prepared a Potential Flood Hazard Impact report and concluded that that the proposed project will not have a significant impact on the floodplain. The proposed development will not adversely block overland flow paths due to existing flow orientation. Additionally, in accordance with Chapter 16.16, Potential Flood Hazard Impact report confirms the proposed development will not increase the base flood elevation by more than 1 foot due to the size of the floodplain and the minimal loss of floodplain storage.

- i) Drainage. Following Policies S-2.5 and S-2.6 of the 2010 General Plan, the proposed project implements mitigation measures to reduce impacts from flooding. A preliminary stormwater control plan and supporting preliminary stormwater control report, dated July 7, 2022, was prepared for the project by Whitson engineers (LIB220216). This report summarizes the project's proposed stormwater management strategy pursuant to the Post Construction Stormwater Management Central coast Region, Central Coast Regional Water Quality Control Board Resolution No. R3-2013-0032, and the guidance documents promulgated by the Monterey Regional Stormwater Management Program (MRSWMP). The drainage system would be designed and constructed to meet current regulations and requirements, including the Monterey County flood control requirements pursuant to MCC Section 16.16.050. The project site is adjacent to the Pajaro levee and within Zones AE, AO, and the 100-year floodplain of the Pajaro River. The Federal Emergency Management Agency (FEMA) and Flood Insurance Rate Maps (FIRM) identify land areas that are subject to flooding. The subject property's current elevations range from 29.5 feet to 32.6 feet. MCC Section 16.16.050.C.2 requires finished floors to be at least 1 foot above the specified FIRM flood depth, in this case the property is located within FEMA Zone AO with depth of 1-foot. Therefore, finished floors of Buildings A, B, C, and D must be constructed at least 2 feet above the highest existing grade or at a minimum elevation of 33', 33.2', 32.7' and 32.6', respectively. As designed, the proposed finished floor elevation for all buildings is 35.5'. Although not required by Chapter 16.16 of the County Code, the applicant has designed the finished floor elevations to exceed the estimated 100-year composite flood elevations (35.3 to 35.4 feet) provided by the Pajaro Regional Flood Management Agency (PRFMA), which accounts for a 100-year flood and multiple levee overtopping scenarios. Modeling provided by PRFMA is not reflected in the FIRM and is not required for compliance with Chapter 16.16 of the MCC.

Stormwater runoff would be collected via a series of gutters, drain inlets, and storm drain piping discharging to on-site treatment and retention basins. These systems would be collectively sized to provide on-site retention and management of runoff rates. General Plan Policy S-3.1

requires post-development, off-site peak flows to be no greater than the pre-development levels. Accordingly, the project proposes treatment of the 85th-percentile 24-hour storm event through implementation of Stormwater Control Measures (SCMs), retention of the 95th-percentile 24-hour storm event in the underground storage of the proposed high-flow tree box biofilters and on-site bioretention pond, and reduction of peak site discharge for the 2, 5, 10, 25, 50, and 100-year 24-hour storms to less than current (pre-development) condition levels.

A storm drain system analysis dated July 6, 2022 (LIB220217) and prepared pursuant to Mitigation Measure No. 2 concluded that the Project does not negatively impact the existing County-owned pump station. The storm drain analysis recommended three storm drain improvements: 1) construction of a 18 inch diameter storm drain along the property's southern boundary to allow future development along Gonda street to utilize the County stormwater facility (pond and lift station) in the event that the Pajaro River levels prevent drainage through the existing flap gate; 2) improving the County storm water detention pond to increase capacity and reduce pump cycle times of the lift station; and 3) installation of a low-flow weir in the manhole at the intersection of San Juan Road and Susan Street to limit the volume of annual drainage routed to the County detention pond and pump station. The proposed project incorporates by design recommendations 1 and 2. The County's Community Services District that maintains the San Juan Road drainage system is aware of Recommendation #3. Improvements to the County detention pond include lowering the adjacent stormwater outlet to an elevation of 24 feet and excavating approximately 8,000 cubic yards of cut which will be used as fill to raise the proposed buildings above the highest estimated flood depth elevation (100-year composite flood event). Expansion of the detention pond will increase the pond's capacity by 4-acre feet (174,240 cubic feet) which would allow for a greater volume of stormwater runoff from the surrounding watershed (includes but not limited to Susan Street development, adjacent agriculture operations, and San Juan Road in the event of a major storm event) to be detained and subsequently pumped across the Pajaro Levee via a County owned and operated stormwater drainage lift system. In accordance with MCC Section 16.16.050, the proposed development is setback approximately 215 feet from the top of the bank of the Pajaro River.

- j) Future Pajaro River levee improvements. The project incorporates a 15-foot setback from the toe of the Pajaro Levee to allow for potential future improvements to the levee that are currently being studied and designed by the U.S. Army Corps of Engineers. The potential improvements include increasing the height of the levee to provide additional flood protection. Planning staff reached out to Monterey County Water Resources Agency (MCWRA) staff to gather information on the current Pajaro Levee Improvement Plan. This improvement plan, known as the Pajaro River Flood Risk Management Project consists of a \$400 million effort to reduce flood risk from the lower Pajaro River and Corralitos and Salsipuedes Creeks. The Pajaro River Flood Risk Management Project will provide 100-year flood protection to the City of Watsonville and the

town of Pajaro, and a mix of 100-year and 25-year flood protection to the surrounding agricultural areas. The project site is located between “Reach 3” and “Reach 4,” which are efforts within the Pajaro River Flood Risk Management Project that aim to provide the surrounding areas with 100-year flood protection (1%). The Pajaro Levee improvement project efforts are planned under the Pajaro Regional Flood Management Agency (PMFRA) and includes cooperation of 5 different agencies: Monterey County, Santa Cruz County, the City of Watsonville, Santa Cruz County Zone, and the MCWRA. The PMFRA’s website states that construction is expected to begin in 2025 and that a draft Environmental Impact Report is being prepared. MCWRA staff stated that there is a current 5-to-6-year construction effort for construction of levee improvements including the levee along the Pajaro River.

- k) Emergency Action Plan. In response to public comment, the applicant has prepared an Emergency Action Plan (EAP). The EAP will be briefed in the employee training and included in the employee/tenant manual, which will also include other rules and regulations for those living at the premises. The EAP includes emergency contact information, before -, during-, and after-evacuation procedures, specific duties of tenants, transportation arrangements, the draft North County Evacuation Guide (prepared by the Monterey County Office of Emergency Services), and a site plan illustrating emergency exit routes and areas of refuge. See Finding 3, Evidence “e.”
- l) Long-term Water Supply. Policy PS-3.1 of the 2010 General Plan requires proof, based on specific findings and supported by the evidence of a “long-term sustainable water supply.” This project is located within the critically over drafted Pajaro Valley Groundwater Basin according to the State Water Board. Water used for agricultural purposes at the site is currently supplied by a shared well on an adjacent property. The project proposes to disconnect from that shared well and connect to the Pajaro/Sunny Mesa Community Services District for potable water. This project will be required to balance the existing water use from the shared well with the proposed water demand from Pajaro/Sunny Mesa in order to avoid increasing demand for groundwater within the basin. Both the shared well and the water sources from Pajaro/Sunny Mesa for this service area draw from the Pajaro Groundwater Basin. The Pajaro Valley Water Management Agency (PVWMA) is tasked with managing the basin and has developed a Basin Management Plan pursuant to the State Groundwater Management Act (SGMA) in 2014 and has adopted a 2022 update to that Plan. The plan contains a number of projects and policies that are intended to stop seawater intrusion and balance the groundwater basin providing for a long-term sustainable water supply within their territory. Some of those projects have already been approved and are operational and others are still being considered and studied. PVWMA has been consulted and has verified that the project will not impact PVWMA Basin Management Plan projects and objectives. See Finding 3 for more details.
- m) Variance. A Variance is required in order to allow for an increased building site coverage of 27% for the subject property. MCC Section 21.72.040 outlines the required findings for Variances. There are unique

circumstances applicable to this property that warrant a variance to the building site coverage limitations in this case. See Findings 5, 6, and 7 and supporting evidence.

- n) Environmentally Sensitive Habitat Areas (ESHA). Based on Monterey County GIS resources, the project is located in an area that supports sensitive biological resources. A biological assessment of the project site was prepared to determine potential impacts to biological resources. The project biologist, Liz Camilo, conducted a survey of the project site on September 14, 2021 to identify and describe habitats and special status species. The report acknowledges that the site is highly disturbed with active agricultural operations. No special-status plant or wildlife species are known to occur within the project site; however, based on the presence of suitable habitat and known occurrences in the vicinity, Monterey spineflower (*Chorizanthe pungens* var. *pungens*) and California red-legged frog (*Rana draytonii*, CRLF) have the potential to occur within the site. A spring survey to look for spineflower during the blooming season was suggested. A supplemental spring survey conducted on June 13, 2022, concluded that Monterey spineflower was not present on the project site. Separately, raptors and other nesting birds were determined to have the potential to nest within large trees near the site. To mitigate potential impacts to these species, staff recommended mitigation measures proposed by the biologist which include an employee education program, a pre-construction survey for raptors, a pre-construction biologist survey for the California red-legged frog (CRLF), a ground disturbance and vegetation removal survey for the CRLF, a construction monitor for the CRLF, a daily log, hole covering, erosion control materials, restricted construction hours, and biological monitor during construction. As mitigated, impacts to environmentally sensitive habitat will be avoided.
- o) Traffic. Traffic is one of the key concerns for the existing residents along Susan Street. Comments submitted on the project express concern with parking, increased traffic on a narrow road, and hazards for kids that play in the street. The project would add 60 two-bedroom apartments supporting up to 480 employees and 1 manager at the end of Susan Street. Accesses to the site for current farming operations is through neighboring properties to the east. This project proposes access using Susan Street which is a public County road.

A traffic impact analysis and supplemental reports/letter were prepared for the project by Keith Higgins on December 8, 2021, January 28, 2022, July 1, 2022 and July 8, 2022. The December 8, 2021 traffic report provided an analysis of the project impacts on Levels of Service (LOS) at nearby intersections and impacts on vehicle miles traveled (VMT). Supplemental reports and letters addressed County comments, public concern, and Planning Commission questions. The traffic report provides information about traditional multi-family housing traffic generation and agricultural employee housing traffic generation.

HCD-Engineering Services reviewed the report and agree with its conclusions. The report concludes that Susan Street, a County Road, is 35

feet in width which is sufficient to meet tertiary street standards and is adequate to carry traffic for the number of existing and proposed residential units. Based on the traffic analysis, it is estimated that Susan Street currently carries about 400 daily trips, with 220 being residential related trips and 180 being trip generated from the autobody shop located on the corner of Susan Street and San Juan Road. Although the proposed project would qualify as H2A housing, it is possible that these housing units could be converted to traditional apartments with no restrictions on vehicle ownership resulting in more traffic than a H2A project. Therefore, impacts to transportation analyze the project as standard apartments to represent a conservative, worse-case scenario. As standard apartments, the proposed project would generate approximately 450 additional trips (for a total of 850 trips along Susan Street), with 29 trips during the AM peak hour and 35 trips in the PM peak hour. Therefore, as a standard apartment, the project will be below the capacity limit established by the County for a tertiary street (1,000 trips). However, the proposed project will not be standard apartments and will be instead be used as agriculture employee housing. Agriculture employee housing tends to generate much less traffic than traditional apartment housing because many of the employees travel by employer sponsored bus or vanpool (an approximately 25% to 33% reduction). Therefore, the proposed project is anticipated to generate 145 daily trips as an agricultural employee sponsored housing project. H2A projects are only occupied during the growing season in the Pajaro and Salinas Valleys which extends from March through the middle of November, about 8 ½ months. The Project would be unoccupied for the winter season, which lasts about 3 ½ months except for the managers unit. Therefore, on an annualized basis, the proposed project would generate about 105 daily trips. Trips generated by this project would not result in a lowering of the LOS ratings at studied roadways and intersections consistent with Policy C-1.1 of the 2010 General Plan.

The proposed project would exceed the threshold of 110 daily trips set by the Technical Advisory on Evaluating Transportation Impacts in CEQA (December 2018) for the purposes of VMT analysis. However, the project site is located within a ½ mile of an existing, high-quality transit corridor, as MST Routes 28 and 29 operate along Pajaro Street and Main Street within 0.30 miles of the site. According to the technical advisory, a project consisting of a high percentage of affordable housing, such as the proposed project, may be a basis for the lead agency to find a less-than-significant impact on VMT. Additionally, the project places housing in a community area that has access to goods and services which is aligns with intended outcomes of VMT analysis. As such, the project was found to have a less than significant impact on VMT. This project would be required to pay regional development impact fees (TAMC fees) and County traffic impact fees.

- p) Traffic Improvements. There is a need to improve sidewalks along Susan Street in areas where the sidewalk does not exist for pedestrian access. To improve pedestrian connections, the project has been conditioned to require the owner/applicant to: 1) construct accessible pedestrian offsite

improvements along Susan Street (including but not limited to curb, gutter, sidewalk, and ADA ramps at the intersection of Susan Street and San Juan Road); and 2) construct 85 feet of sidewalk on northside of San Juan Road. The preliminary plans for the proposed project have been reviewed by Public Works and the North County Fire Protection District.

- q) Archaeological Resources. The site is located within a high archaeological sensitivity area. Pursuant to MCC Section 21.66.050, staff required a preliminary archaeological assessment to determine whether or not archaeological resources were present. A Phase 1 Archaeological Resource Assessment and addendum (LIB220024) was submitted for the project that acknowledged that surface soils have been substantially impacted due to past and current agricultural practices and it is unlikely that the resources would be uncovered during construction. However, because the project requires excavation of the top five feet of soil for foundation preparation, and 8,000 cubic yards of excavation of the adjacent County detention pond, there is a potential that resources could be located under the disced and disturbed topsoil. The project has been conditioned to include a note on the plans that state that if resources are discovered, work must immediately halt within 50 meters of resource until a qualified archaeologist or other qualified professional can evaluate.
- r) Public Comment. Nineteen property owners along Susan Street signed a petition opposing the proposed project. Comments have requested that this project not be approved as it would negatively impact neighborhood character, traffic, fire, and flooding. Additional concerns have been raised by neighbors about the lack of notice to all neighbors on Susan Street and lack of notice in Spanish.

Comments provided on this project have been reviewed and are responded to as follows:

Neighborhood Character: The proposed project would result in an increase in population and traffic on Susan Street and would introduce new multi-family housing in the area. There is a need for housing of all types and the increase in housing in this area was contemplated in the 2010 General Plan which designates this area as a priority for development. The site has access to adequate public services and facilities and is capable of supporting the proposed housing.

Fire: A fuel management plan was prepared in accordance with local and state wildlife urban interface guidelines that focuses on irrigating and landscaping within 30 feet of structures and managing vegetation within 100 feet from structures or to the edge of the parcel, whichever comes first.

Public Notice: A notice of public hearing was distributed in English to all properties within 300 feet of the project site prior to the February 9, 2022 Planning Commission. In response to comments, a notice of public hearing for the March 16, 2022 and September 28, 2022 Planning Commission hearing were provided in both English and Spanish and notices were distributed to everyone who requested notice of the hearing,

in addition to all property owners within 300 feet of the project. Separate notices have also been provided for advisory committee meetings including the North County Land Use Advisory Committee and the Agricultural Advisory Committee. Additionally, both the March 16, 2022 and September 28, 2022 Planning Commission hearings were conducted in the evening with Spanish interpretation services available during the hearing.

Baseline Water Use: Comments were received during the CEQA comment period concerning the establishment of the existing average annual water demand for agricultural use (baseline water use). The Initial Study prepared for the project assumes an annual water use on the 3.41 acre property of 5.25 Acre Feet per Year (AFY) per acre for irrigation of celery, spinach, and brussels sprouts grown on-site in a one year period. This figure was based on information provided by Lakeside Organics who have been farming on this property and other nearby properties for the last 4 years. Comments from Anthony Nicola (neighbor) and LandWatch Monterey County suggest that this number is high and request reconciliation of this water amount with average water use numbers published in the Monterey County Water Resources Agency (MCWRA) annual Groundwater Extraction Summary (GEMS) Report. Figures published in the MCWRA GEMS report do not cover the Pajaro groundwater basin since this basin falls under the jurisdiction of the Pajaro Valley Water Management Agency (PVMA) and not MCWRA. The 2020 GEMS report covers four groundwater basins in the Salinas Valley; Pressure, East Side, Forebay, and Upper Valley. Well data is used to average and summarize water use within the Basins for the GEMS report. In Figure 22 of the 2020 GEMS report, average water use by basin for “vegetable crop” irrigation is provided. Average water use ranges from between 2.3 (in the Pressure basin) and 3.2 AFY per acre (in the Upper Valley Basin). The of the average of the amounts in all four basins is approximately 2.675 AFY per acre. This is significantly less (about half) than the stated 5.25 AFY per acre water demand. HCD-Planning staff reached out to MCWRA staff and learned that the data used in Figure 22 is an average of data which includes wells serving agricultural operations with a range of vegetable crops and irrigation systems and including multiple operations with 1 crop rotation per year, 2 crop rotations per year, and 3 crop rotations per year. Three crop rotation operations use more water than 1 crop and 2 crop rotation agricultural harvesting operations. MCWRA staff confirmed that in their professional opinion that 5.25 AFY per acre use on a three-crop rotation farm is within range of other three crop rotation farming operations collected in the GEMS program. Site specific information is available in this case rather than averages applicable in other areas and the site specific information is within the range of similar agricultural operations with similar crop types, rotations, and irrigation systems. On February 22, 2022, Mr. Nicola commented on his original comment stating, “Since making the initial comment it has been discovered that 51% of all effluent that goes out the sewer line of these proposed buildings is recycled into ag water that otherwise would have been pumped from the aquifer. Meaning,

regardless of if the previous water calculations are correct or not, the proposed project is either going to show zero increase in water demand with the demise of the farming, or it will actually be showing a decrease in overall water usage, positively affecting the aquifer.”

Long-Term Sustainable Water Supply (LTSWS): The California Coastal Commission issued a letter addressed to Erik Lundquist, HCD-Director, which stated that the California Coastal Commission respectfully asked that the County not further find there is a LTSWS for future CDP [Coastal Development Permit] decisions. The LUAC committee drew an arrow on the previously written letter to the line that stated, “Seawater intrusion remains a threat.” Additionally, she underlined “Our position is that North Monterey County remains without a LTSWS. And thus, the LCP policies regarding development... respectfully ask the County not to further find there is a LTSWS for future CDP decisions”.

This project is not located in the Coastal zone and is not within the purview or jurisdiction of the California Coastal Commission. Further, this letter does not come from the California Coastal Commission itself, this is an annotation to a previously sent letter from the California Coastal Commission staff. In this case, the project has been found to have no impact on the groundwater basin because the proposed water use will not exceed the current water use within the basin. In this way, the project will not impact, or make more difficult, plans of PSMCSD to provide a long-term sustainability of the water supply within their jurisdiction.

Safety: Many Susan Street residents expressed safety concerns about the project’s population. The project is serviced by the Monterey County Sherriff’s Department and the closest police station is located approximately 0.8 miles away. The Monterey County Sheriff’s HQ is located approximately 23.9 miles away. Monterey County has reciprocal agreements for service with neighboring jurisdictions including Santa Cruz County and Watsonville. Emergencies are responded to by the nearest available emergency responders. Additionally, an Emergency Action Plan has been prepared for the proposed project that provides for on-site emergency response protocols to protect the safety of residence in the event of an emergency (see Finding 1, “j”).

Traffic. In response to concerns raised over the traffic and parking conditions on Susan Street, staff requested that the applicant explore options for alternative ingress and egress to the site (e.g. not using Susan Street). The applicant stated that they explored other exit and entrance opportunities and found the Susan Street traffic connection to be the most feasible for the project. The applicant states that they do not own or control any of the adjacent parcel, that the project complies with current standards, and that the anticipated traffic volumes will be within traffic volumes allowed on Susan Street. The applicant states that Susan Street is the current and only legal access point to the project site.

Susan Street is designated as a Tertiary Street under Monterey County

Road standards because it is a dead-end street serving a small number of residential lots. According to Monterey County road standards, Tertiary Streets can accommodate up to 100 lots or units or up to 1,000 vehicles per day. 19 residential lots and 1 commercial lot currently abut Susan Street. The proposed project would add 61 units at the end of the street with a maximum occupancy of up to 480 employees. A traffic report prepared for the project by Keith Higgins (traffic engineer), dated December 8, 2021, describes that traffic counts were conducted at the intersection of San Juan Grade Road and Susan Street on August 28, 2021. 400 trips were counted at that time including 180 trips associated with the commercial automotive use on the corner of Susan Street and San Juan Grade Road.

Assuming that the project is not restricted to agricultural employee housing, a typical 61-unit multi-family apartment building would be expected to generate about 450 daily traffic trips. This scenario would result in 850 total daily trips on Susan Street which is less than the 1,000 trips that maximum range expected for a tertiary street. Secondly, and as proposed, the project will be limited to occupancy by agricultural employees. Based on actual traffic counts conducted at the Casa Boronda agricultural employee housing project, agricultural employee traffic trips are anticipated to be considerably less than a standard apartment because many employees will not have individual vehicles and are much more likely to rely on buses and vans for transport to/from work. As an agricultural employee housing project, it is anticipated that the project will generate 145 daily trips from about April through November of each year. With 145 daily trips, there would be approximately 545 trips on Susan Street per day.

The traffic engineer states that although Susan Street allows parking on both sides of the street, there is a clear width of 19 feet between the cars which would allow two vehicles with a maximum width of 7 feet (i.e. typical passenger vehicles or trucks) to pass at once. School buses, which will be used for the H2A worker transport, have an exterior width of 8 feet or 9.5 feet when including the exterior side mirrors. When gaps in parked cars provide a width of 19 feet, two buses may pass each other. Otherwise, the buses must pull over to allow the oncoming bus to pass. This will effectively decrease traffic speeds along Susan Street and is a common traffic calming practice called "Yield Streets." National Association of City Transportation Officials confirms that 2-way yield streets are appropriate in residential environments where drivers are expected to travel at low speeds, such as Susan Street. Left turning buses will be able to exit and enter Susan Street to and from San Juan Road with no interference from other vehicles stopped on the Susan Street approach. Right turns from buses exiting Susan Street to proceed westbound on San Juan Road will also be able to complete the turn without encroaching into oncoming traffic. Westbound right turns from buses entering Susan Street will encroach about 6 feet into the southbound Susan Street approach lane. Based on the proposed peak hour trips, this scenario may only occur up to 3 times between 3 to 4 AM and

up to 2 times between 2 to 3 PM and 4 to 5 PM. Based on all the information in the record, the project, as proposed and conditioned, would not conflict with a plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian facilities. The increased traffic along Susan Street can be accommodated in this case. See Finding 1, Evidence “m” and “n.”

Liquefaction. A Geotechnical Report (LIB210241), amended on July 1, 2022, addresses the project site’s high liquefaction potential. The project engineer states that the risk for damaging liquefaction and/or differential compaction and settlement during a major seismic event is low, provided their recommendations are implemented. These recommendations, including engineered foundations and subexcavation and recompaction of the upper 5 feet of soil. These recommendations have been applied as Mitigation Measures GEO-1 and GEO-2.

Water and Wastewater Infrastructure. The County of Monterey’s Public Works, Facilities and Park’s Special Districts Division has confirmed that although there is always the possibility for the wastewater system to experience a failure for a variety of reasons, the proposed project will not increase the likelihood of such a failure. All past wastewater failures have been resolved and infrastructure improvements are in the works. Additionally, the Pajaro Sunny Mesa Community Services Districts has stated that no water infrastructure failures have recently occurred and that the proposed project will not create a water infrastructure failure.

- s) Agricultural Advisory Committee (AAC). The proposed project was heard at the January 27, 2022 Agricultural Advisory Committee meeting. Comments from the public at that meeting indicated that the project had not been properly noticed and that the project should not be approved because of its negative impacts on the community. The AAC reviewed the project and adopted a recommendation of support by a 6-0 vote. The AAC suggested that the 100 feet agricultural buffer and proposed vegetation screening would be adequate but suggested that the proposed Sycamore trees be replaced with Cosrena trees or something similar in order to provide a dense tree canopy from the ground up. The applicant has agreed to plant Cosrena trees rather than Sycamore trees to provide additional screening from nearby row crop uses (Condition No. 4).
- t) Land Use Advisory Committee. The project was referred to the North County Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors, this application warranted referral to the LUAC because the project requires CEQA review and the project includes a Variance. The project was first heard at the December 1, 2021, North County LUAC hearing. After hearing public comments and concerns, the North County LUAC members requested that the project be continued until staff prepared an environmental analysis for the project. An Initial Study/Mitigated Negative Declaration has been prepared for the project. The project returned to the LUAC on February 2, 2022. At that hearing, the LUAC recommend denial for the project as presented because the committee did not support current traffic access and found the project

incompatible with the surrounding neighborhood. The LUAC raised concerns regarding water use and cumulative impacts of this and other projects in the Pajaro community. A reduced density for the project was suggested. The LUAC committee unanimously recommended denial of the project with a vote of 4-0. The LUAC recommendations have been considered and concerns raised by the LUAC have been addressed.

- u) Community Meetings. The Planning Commission suggested that the applicant hold a community meeting to discuss the project proposal and allow for a more informed discussion. In response, the applicant hosted two meetings on the project site with several tables, stands, and lights. The applicant provided large sheets of paper, markers, and project information in English and Spanish to source ideas and suggestions for the project. The applicant additionally paid for translation services at the first meeting and utilized translation with the facilitation of the Monterey Bay Economic Partnership for the second meeting. The project was noticed to the residents of Susan Street Sunday February 13, 2022 via flyers on each doorstep along Susan Street with information written in English and Spanish.

February 16, 2022 5:30 pm-6:30pm Meeting: The first community meeting resulted in a relatively low community turnout. A few Gonda Street residents attended the meeting to discuss drainage concerns. One farmer came in who supported the project and stated that he would need the housing and supports the project. No Susan Street residents attended this meeting, and no comments, ideas, or suggestions were written down at this meeting.

February 23, 2022 5:30 pm-7:30pm Meeting: The second community meeting resulted in a better turnout. Approximately 30 people attended the meeting. The meeting was facilitated by Matt Huerta of the Monterey Bay Economic Partnership. The residents of Susan Street requested that the applicant, represented by Mike Avila, not present the project. Mr. Avila complied with this request and there were no Susan Street residents who objected to this request. The Susan Street residents did not feel as though the community meetings were genuine, as they believed these meetings should have occurred much earlier in the project, prior to the Planning Commission suggestion. The Susan Street residents discussed many concerns they had with the project including the potential traffic impacts, the way the project would change neighborhood character, a disagreement with the Mitigated Negative Declaration determination, disagreement with the Long-Term Sustainable Water Finding, flooding, safety, and a lack of translation for the previous LUAC and AAC meetings. See Finding 1, Evidence “q.”

- v) The project planner conducted a site inspection on October 27, 2021, to verify that the project on the subject parcel conforms to the plans listed above.
- w) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development found in Project File PLN210152.

2. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the use proposed.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: HCD-Planning, North County Fire Protection District, HCD-Engineering Services, HCD-Environmental Services, the Environmental Health Bureau and Public Works Facilities & Parks. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
 - b) Staff identified potential impacts to biological resources, archaeological resources, soil/slope stability, drainage, hazards, noise, and traffic. The following reports have been prepared:
 - “Biological Resources Memorandum for the Susan Street Agricultural Housing Project” (LIB210240) prepared by Denise Duffy & Associates, Monterey, CA, October 4, 2021 and a supplemental spring survey dated July 1, 2022
 - “Air Quality & Greenhouse Gas Impact Assessment for the Susan Street Agricultural Housing Project” (LIB220260), prepared by Kurt Legleiter of AMBIET Air Quality & Noise Consulting, San Luis Obispo, California, November 2021, and supplemental “Air Quality Modeling Assumptions for the Susan Street Project”, dated July 6, 2022
 - “Archaeological Resources Assessment Report” (LIB220024) prepared by Basin Research Associates, San Leandro, CA, October 3, 2021, as amended on July 7, 2022;
 - “Geotechnical and Infiltration Investigation” (LIB210241) prepared by Belinda A. Taluban, Salinas, CA, October 2021, as amended on July 1, 2022;
 - “Phase I & II Environmental Site Assessment” (LIB210242) prepared by Caprock Geology Inc, Spreckels, California, September 7, 2021 and October 15, 2021;
 - “Preliminary Stormwater Control Plan for Susan Street Agricultural Employee Housing” (LIB220216) prepared by Whitson Engineers, Monterey, CA, December 8, 2021, as revised on February 7, 2022 and July 7, 2022;
 - “45 dB Acoustics Acoustical Analysis: Susan St. Agricultural Housing” (LIB220025) prepared by 45 dB Acoustics, August 17, 2021;
 - “Susan Street Apartments Transportation Impact Analysis” (LIB210281) prepared by Keith Higgins, Gilroy, CA, November 23, 2021 and supplemental reports and letters dated December 8, 2021, , July 1, 2022 and July 8, 2022;
 - “Assessment of Potential Flood Hazard Impacts Related to the Susan Street Agriculture Housing Project” (LIB220194) prepared by Nathaniel Milam of Whitson Engineers, May 27, 2022;
 - “Export Fill Soil Sampling of APN: 117-381-031” (LIB220195) prepared by CapRock Geology Inc, Spreckels, California, June 30, 2022; and
 - “Supplemental Drainage Study” (LIB220217) prepared by Nathaniel Milam of Whitson Engineers, July 6, 2022.

The above-mentioned technical reports by outside consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed with mitigation proposed. County staff has independently reviewed these reports and concurs with their conclusions.

- c) Staff conducted a site inspection on October 27, 2021, to verify that the site is suitable for this use.
- d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County HCD-Planning for the proposed development found in Project File PLN210152.

3. FINDING: HEALTH AND SAFETY - The establishment, maintenance, or operation of the use or structure applied for, will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use; or be detrimental or injurious to property and improvements in the neighborhood; or to the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by HCD-Planning, North County Fire Protection District, HCD-Engineering Services, HCD-Environmental Services, the Environmental Health Bureau and Public Works Facilities & Parks. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) Adequate public water and sewer are available for the project. The Health Department confirmed in a memo addressed December 20, 2021, that a can and will serve letter from Pajaro County Sanitation District (PCSD) was received on November 17, 2021, verifying sewer service connection is available. PCSD has sufficient allocation available for connection to the Watsonville treatment plant and the Watsonville treatment plan has adequate capacity to serve the project. The Pajaro/Sunny Mesa Community Services District issued a Can-And-Will-Serve Letter that confirms drinking water service for the proposed 61 units. Health Department also reviewed the applicant submitted Initial Water Use/Nitrate Impact questionnaire for consistency with site suitability standards. A Waste Management Can-And-Will-Serve was submitted that guarantees Waste Management will serve with Pajaro Apartments to provide weekly collection services of trash, recyclables, and organic waste.
 - c) Water. The project would connect to the Pajaro/Sunny Mesa Community Services District (PSMCSD). PSMCSD is a regulated public water district that has water treatment systems in place to provide potable water meeting state drinking water standards. PSMCSD is the only public water system serving the Pajaro area. PSMCSD has provided a can and will serve letter for this project and has indicated that they have the capacity and ability to serve the project from their existing facilities. PSMCSD operates a public water system regulated by the State Water Board and Monterey County Environmental Health. The project has been reviewed by Monterey County Environmental Health and it has been determined

that PSMCSD has existing infrastructure, rates, and governing boards that provide adequate technical, managerial and financial capabilities to maintain their water system. The Pajaro service area operated by PSMCSD draws water from wells located in the Pajaro Valley groundwater basin. PSMCSD has adequate court-ordered and approved groundwater supplies and water rights to serve existing development and the proposed development. Water supply will come from existing wells owned and operated by PSMCSD. No new wells or substantial increase in demand on existing wells will result from this project.

- d) Due to the previous agricultural use of the project site and surrounding parcels, an Export Soil Sampling Report (LIB220195) was prepared to determine the levels of potentially hazardous materials residing in the soil proposed for re-use as fill. Additionally, a Phase I and II Environmental Site Assessment was prepared to determine if the project site soils contained chemicals or other pesticides such as lead arsenate and DDT, which may have been applied during the normal course of farming operations prior to establishing the current organic agriculture practice. The Export Soils Sampling Report and Phase I and II ESA concluded that metals and pesticides detected at the excavation pond site and project site are within normal background levels for the Monterey Bay area, and no further investigation is required prior to construction. However, construction workers at the site could be exposed to dust particles disturbed as a result of construction activities. In accordance with MCC Section 16.080.340 – Erosion Control, an erosion control plan shall be prepared and maintained for all disturbed surfaces resulting from grading operations, including dust control. As such, the project will be required to implement standard dust control measures as part of grading and building.
- e) The North County Fire Protection District has reviewed the proposed project and all applicable materials and found the project to provide adequate emergency access.
- f) Staff conducted a site inspection on October 27, 2021, to verify that the site is suitable for this use.
- g) The application, project plans, and related support materials submitted by the project applicant to the Monterey County HCD – Planning for the proposed development found in Project File PLN210152.

4. FINDING: **NO VIOLATIONS** – The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County’s zoning ordinance. No violations exist on the property.

- EVIDENCE:**
- a) Staff reviewed Monterey County HCD Planning and Building Services Department records and is not aware of any violations existing on subject property.
 - b) Staff conducted a site inspection on October 27, 2021 and researched County records to assess if any violation exists on the subject property.
 - c) There are no known violations on the subject parcel.
 - d) The application, plans and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development are found in Project File PLN210152.

5. FINDING: VARIANCE (SPECIAL CIRCUMSTANCES) – Special circumstances apply to the subject property, including the size, shape, topography, location or surroundings. Therefore, the strict application of development standards in the Monterey County Codes is found to deprive the subject property of privileges enjoyed by other properties in the vicinity under and under identical zoning classification.

- EVIDENCE:**
- a) The project structures and use are located within the Farmland (“F”) zoning district which requires a building site coverage maximum of 5% of the total lot size. This project proposes a building site coverage of 27% and therefore the granting of a Variance is required.
 - b) There are unique circumstances applicable to this site. The site is located within the boundaries of the Pajaro Community Area (2010 General Plan Figure CA5) which is an area that is a priority for development in the unincorporated areas of Monterey County. The property is much smaller in size, 3.41 acres, than typical Farmland properties which typically have a minimum lot size of 40 acres. This property was created prior to the current zoning regulations and is non-conforming to the minimum parcel size for the zoning district. Additionally, the project is located adjacent to properties zoned for High Density Residential use.
 - c) This project includes an application for an agricultural support use (agricultural employee housing). While it is an agriculturally related development, it is also for housing. Typical residential (housing) building site coverage is between 25% in Low Density Residential zones and 60% in High Density Residential Zones. Properties to the west and south are zoned for High Density Residential use and those properties enjoy a much higher building site coverage limitation. The site is 3.41 acres in size (148,536 square feet). At 5% of the lot size, the maximum building site coverage would be 7,426 square feet which would severely limit the ability to construct an agricultural employee housing project.
 - d) Staff conducted a site inspection on October 27, 2021, to verify circumstances related to this property.
 - e) The application, plans and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development are found in Project File PLN210152.

6. FINDING: VARIANCE (SPECIAL PRIVILEGES) – Granting of this Variance does not constitute a grant of privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

- EVIDENCE:**
- a) The property has a Farmland (“F”) zoning designation.
 - b) Other properties in the Farmland zone have received approval of a Variance to the lot coverage when non-conforming lot sizes limit the ability to construct residential buildings or agricultural support facilities. A similar Variance in the vicinity includes PLN190077 (Duran) which allowed a 13% lot coverage for an addition to an agricultural support facility. There are many other examples of Variances granted to Lot Coverage in the Farmland zones throughout the County for improvements on properties that have a non-conforming parcel size (for example PLN140684 and PLN120312).

- c) As demonstrated in Finding 1, the proposed use supports the viable agricultural uses in Monterey County which are located in proximity of the subject property. Establishment of supportive housing for agricultural employees would not constitute a special circumstance in this case.
 - d) The application, plans and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development are found in Project File PLN210152.
7. **FINDING:** **VARIANCE (AUTHORIZED USE)** – The Variance does not grant a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.
- EVIDENCE:**
- a) The property is zoned Farmland which allows agricultural employee housing consisting of more than 12 units or 37 beds in group quarters with a Use Permit in each case (MCC Section 21.30.050.AA). As proposed, the project includes 60 agriculture employee housing units and 1 manager unit, and is therefore an allowed use under the subject zoning district.
 - b) The application, plans and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development are found in Project File PLN210152.
8. **FINDING:** **CEQA (Mitigated Negative Declaration)** - On the basis of the whole record before the Monterey County Planning Commission, there is no substantial evidence that the proposed project as designed, conditioned and mitigated, will have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment and analysis of the County.
- EVIDENCE:**
- a) Public Resources Code Section 21080.d and California Environmental Quality Act (CEQA) Guidelines Section 15064.a.1 requires environmental review if there is substantial evidence that the project may have a significant effect on the environment.
 - b) Monterey County HCD-Planning prepared an Initial Study pursuant to CEQA. The Initial Study is on file in the offices of HCD-Planning and is hereby incorporated by reference (PLN210152).
 - c) The Initial Study identified several potentially significant effects, but the applicant has agreed to proposed mitigation measures that avoid the effects or mitigate the effects to a point where no significant effects would occur.
 - d) All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval. A Condition Compliance and Mitigation Monitoring and/or Reporting Plan has been prepared in accordance with Monterey County regulations. The applicant must enter into an “Agreement to Implement a Mitigation Monitoring and/or Reporting Program” as a condition of project approval.
 - e) The Draft Mitigated Negative Declaration (“MND”) for PLN210152 was prepared in accordance with CEQA and circulated for public review from December 23, 2021 through January 24, 2022 (SCH#: 2021120560).
 - f) Potential Impacts that were analyzed in the Mitigated Negative Declaration include: aesthetics, agriculture and forest resources, air

quality, biological resources, cumulative effects, cultural resources, geology/soils, growth inducement, greenhouse gas emissions, hazards/hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services, recreation, forest land/fire hazard, solid waste, sewer capacity, noise, transportation/traffic, and utility/service systems.

- g) Impacts and Mitigation Measures. Potential impacts to biological resources, energy, geology, hazards and hazardous materials, hydrology and water quality, noise, tribal cultural resources, utilities and service systems, and mandatory findings of significance were identified in the IS. As demonstrated below, implementation of County regulations and/or incorporation of identified mitigations would reduce project impacts to a less than significant level.

Biological Resources: Potential impacts to California Red-legged Frog and nesting birds were identified. Mitigation Measures BIO-1, BIO-3, BIO-4, BIO-5, BIO-6, BIO-7, BIO-8, BIO-9, BIO-10, and BIO-11 have been incorporated to reduce potential biological impacts to a less than significant level (See Finding 1).

Energy: Potential impacts to energy resources to the project come from transportation related energy, which is mitigated by transporting the agricultural workforce to and from the work site via vanpools and buses. Use of the shared transportation would reduce impacts to energy resources to a less than significant level.

Soils: Potential liquefaction and lateral spreading impacts were identified. Risks from liquefaction would be reduced by implementing geotechnical recommendations and Mitigation Measures GEO-1 and GEO-2.

Hazards: A Phase I Environmental Site Assessment did not identify hazards on the site, and the Phase II Environmental Site Assessment and Export Soil Sampling Report concluded that the metals and pesticides detected on site are within the normal range and that no further investigation is required prior to construction. However, construction workers at the site could be exposed to dust particles disturbed as a result of construction activities, so an erosion control plan (Condition No. 19) shall be prepared and implemented to reduce these hazards and bring these impacts to a less than significant level.

Hydrology: Potential impacts to groundwater were identified however mitigation measure MM HYD-1 has been applied to reduce impacts on the groundwater to a less than significant level. Also see Finding 8, evidence “h.”

Noise: Construction of the project will produce noise. Mitigation Measure MM NOISE-1 reduces these impacts to a less than significant level by reducing construction operations to Monday through Saturday, 9:00 am to thirty minutes prior to sunset or 5:00 pm, whichever comes

first and incorporating best management practices for muffling of equipment.

Tribal Cultural Resources: Tribal consultation has occurred with the Ohlone Costanoan Esselen Nation and Esselen Tribe of Monterey County. Mitigation measures MM TCR-1 and MM TCR-2 would reduce impacts to a less than significant level by requiring contractor training prior to construction and tribal monitoring during excavation.

Utilities: Mitigation measures were required to bring impacts to utilities and service systems to a less than significant level, which include a Final Stormwater Control Plan, MM-USS-1, and a Drainage Study, MM USS-2.

- h) **Cumulative Water Impacts:** This project proposes to maintain existing water use within the Pajaro Valley Groundwater Basin. This project is located within the critically over drafted Pajaro Valley Groundwater Basin according to the State Water Board. Water used for agricultural purposes at the site is currently supplied by a shared well that is on an adjacent property. Current water use on the property is approximately 17.9 Acre Feet Per Year (AFY) (5.25 AFY per acre times 3.4 acres). The project proposes to disconnect from that shared well and connect to the Pajaro/Sunny Mesa Community Services District for potable water. This project will be required to balance the existing water use from the shared well with the proposed water demand from Pajaro/Sunny Mesa in order to avoid increasing demand for groundwater within the basin. Both the shared well and the water sources from Pajaro/Sunny Mesa for this service area draw from the Pajaro Groundwater Basin. The Pajaro Valley Water Management Agency (PVWMA) is tasked with managing the basin and has developed a Basin Management Plan pursuant to the State Groundwater Management Act (SGMA) in 2014 and has adopted a 2022 update to that Plan. The plan contains a number of projects and policies that are intended to stop seawater intrusion and balance the groundwater basin. Some of those projects have already been approved and are operational and others are still being considered and studied. The 2022 update shows that projects and objectives are helping to increase groundwater storage in the basin. PVWMA has been consulted and has verified that the project will not impact PVWMA Basin Management Plan projects and objectives. To ensure that the project water use does not exceed historic water use, mitigation measure “MM HYD 1” has been applied to this project that requires that the applicants supply the Monterey County Environmental Health Bureau with water use data every 4 months for the first two years following approval of a certificate of occupancy or final building permit inspection. After the first two years of reporting, the applicant/owner shall submit evidence of actual water use annually. In the event that water usage exceeds 17.9 AFY, the applicant will be required to submit a plan to Housing and Community Development and the Environmental Health Bureau for review and approval that contains measures that will reduce the actual water use in the following year to no more than 17.9 AFY minus any amount of water used in excess of 17.9 AFY in the prior year. Failure to reduce water

usage to in any year following a year that exceeds the limits will result in a mandatory occupancy limit reductions as determined by HCD and the Environmental Health Bureau. With the implementation of this mitigation measure the project will not increase demands on water within the critically over drafted groundwater basin and will not impede plans adopted to attain sustainable yields within the basin.

- i) All other categories were found to have no impacts or less than significant impacts from the project as proposed. Potential impacts from the project, as detailed in the proceeding evidence, will be less than significant with mitigation incorporated.
- j) Evidence that has been received and considered includes: the application, technical studies/reports (see Finding 3), staff reports that reflect the County's independent judgment, and information and testimony presented during public hearings. These documents are on file in HCD-Planning (PLN210152) and are hereby incorporated herein by reference.
- k) Staff analysis contained in the Initial Study and the record as a whole indicate the project could result in changes to the resources listed in Section 753.5(d) of the California Department of Fish and Game (CDFG) regulations. All land development projects that are subject to environmental review are subject to a State filing fee plus the County recording fee, unless the Department of Fish and Game determines that the project will have no effect on fish and wildlife resources. For purposes of the Fish and Game Code, the project may have an impact on the fish and wildlife resources upon which the wildlife depends. The Initial Study was sent to the California Department of Fish and Game for review, comment, and to recommend necessary conditions to protect biological resources in this area. Therefore, the project will be required to pay the State fee plus a fee payable to the Monterey County Clerk/Recorder for processing said fee and posting the Notice of Determination (NOD).
- l) During the public comment period, comments were received on the Initial Study/Mitigated Negative Declaration. The County has considered the comments and has made minor revisions to the project in response to comments.
- m) Revisions to the IS/MND have been made following the March 16, 2016 Planning Commission hearing. Revisions are required to clarify and amplify the analysis and to reflect the change in project addressing flooding elevations. The proposed project was slightly changed to include raising the buildings to a finish floor elevation by 2.5 feet from the original proposal in response to comments provided by the Pajaro Valley Flood Management Agency. Additionally, the applicant is now proposing to deepen the County detention pond and use soils excavated from the pond as fill materials (8,000 cubic yard) on the site. Other minor revisions include installation of 4 high-flow tree box biofilters and 1 bioretention pond rather than 5 bioretention ponds. These changes triggered minor changes such as the need for additional retaining walls, ramps and stairs to accommodate the transition between the ground level and the building finish floor elevation. In response to traffic related concerns, the project traffic engineer conducted a second 24-hour traffic count at the 525 Third Street Apartments Agricultural Worker Housing project (Greenfield Project) in Greenfield, California to provide

additional data to determine daily trip generation totals and hourly variations. Mitigation Measure BIO-2 required submittal of a spring survey to determine whether Monterey spineflower was present at the project site. After circulation of the IS/MND, Denise Duffy & Associates conducted the required spring survey and confirmed that the species does not exist on the property. Therefore, BIO-2 has been removed from consideration. The Supplemental Drainage Study (LIB220217) was prepared in response to Mitigation Measure USS 2 but has yet to be approved by HCD-Engineering Services and therefore is still applicable. All other mitigation measures remain the same as drafted in the circulated Initial Study (December 23, 2021 and January 24, 2022). No additional mitigation measures were proposed as a result of the IS/MND revisions. Changes have been made to the IS/MND that reflect the change in the project to address flood elevations and to clarify and amplify the analysis. The changes do not result in any new significant impacts or substantially increase the severity of impacts previously identified in the IS/MND. Pursuant to CEQA Guidelines Section 15073.5(c), recirculation of the IS/MND is not required because the project revisions have been added in response to comments on the projects effects which are not new avoidable significant effects and other information clarifies and amplifies the previous analysis

- n) Monterey County HCD-Planning, located at 1441 Shilling Place, 2nd Floor, Salinas, California, 93901, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the Mitigated Negative Declaration is based.

9. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors
EVIDENCE: Section 21.80.040 of the Monterey County Zoning Ordinance states that the proposed project is appealable to the Board of Supervisors.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Planning Commission does hereby:

1. Adopt a mitigated negative declaration pursuant to Section 15074 of the CEQA Guidelines;
2. Approve a Combined Development Permit consisting of: 1) a Use Permit to allow the construction of four 16,286 square foot two-story apartment buildings totaling 60 units for agricultural workforce housing and 1 manager unit, and associated site improvements including 17,500 cubic yards of grading; and 2) a Variance to increase the required building site coverage from 5% to 27%; and
3. Adopt the attached Mitigation Monitoring and Reporting Program.

All of which is in general conformance with the attached plan set and subject to the attached conditions and mitigation measures, attached hereto.

PASSED AND ADOPTED this 28th day of September 2022, upon motion of Commissioner _____, seconded by Commissioner _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Craig Spencer, Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON _____.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE _____.

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from Monterey County HCD-Planning and HCD-Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

County of Monterey HCD Planning

DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN210152

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This Combined Development Permit consisting of a Use Permit and a Variance (PLN210152) allows the construction of four (4) 16,286 square foot two-story apartment buildings totaling 60 units for agricultural workforce housing and 1 manager unit and approximately 26% building site coverage in Farmlands zoning. The property is located at 51, 53, 55 & 57 Susan Street, Royal Oaks (Assessor's Parcel Number 117-361-016-000), North County Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of HCD - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (HCD - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: RMA-Planning

Condition/Mitigation The applicant shall record a Permit Approval Notice. This notice shall state:

Monitoring Measure: "A Combined Development Permit (Resolution Number _____) was approved by the Planning Commission for Assessor's Parcel Number 117-361-016-000 on March 16, 2022. The permit was granted subject to 20 conditions of approval and 20 mitigation measures which run with the land. A copy of the permit is on file with Monterey County HCD - Planning."

Proof of recordation of this notice shall be furnished to the Director of HCD - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (HCD - Planning)

Compliance or Prior to the issuance of grading and building permits, certificates of compliance, or
Monitoring commencement of use, whichever occurs first and as applicable, the Owner/Applicant
Action to be shall provide proof of recordation of this notice to the HCD - Planning.
Performed:

3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department: RMA-Planning

Condition/Mitigation If, during the course of construction, cultural, archaeological, historical or
Monitoring Measure: paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County HCD - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery.
(HCD - Planning)

Compliance or The Owner/Applicant shall adhere to this condition on an on-going basis.

Monitoring
Action to be Prior to the issuance of grading or building permits and/or prior to the recordation of the
Performed: final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County HCD - Planning and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered."

When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

4. AGRICULTURAL VEGETATIVE SCREENING & AGRICULTURAL BUFFER LINE ON CONSTRUCTION PLANS (NON-STANDARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Owner/Applicant shall incorporate the agricultural buffer line(s) onto the construction plans in the landscaping plan sheet(s) or elsewhere. Also, incorporate the information of the appropriate vegetation buffer to be planted as vegetative screening for purposes of a vegetative agricultural buffer along the proposed apartment complex as shown in the planning set of plans. Set of construction plans, specifically the landscaping plan, shall be reviewed and approved by the Monterey County Agricultural Commissioner's Office. (Agricultural Commissioner's Office)

Compliance or Monitoring Action to be Performed: Prior to issuance of construction permits, the Owner/Applicant shall incorporate required information onto the construction plans landscaping sheet(s) for the review and approval of the Monterey County Agricultural Commissioner's Office.

Prior to final inspection, the applicant shall install landscaping per approved plans and contact the Monterey County Agricultural Commissioner's Office for inspection of agricultural vegetative screening as shown on landscaping plans.

5. PW0005 – DRIVEWAY IMPROVEMENTS

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Construct driveway connection(s) to Susan Street. The design and construction is subject to the approval of the HCD. Encroachment Permits are required for all work within the public right-of-way.

Compliance or Monitoring Action to be Performed: Owner/Applicant shall submit the design for review and approval of the HCD-Engineering, obtain an encroachment permit from the HCD prior to issuance of building or grading permits, and construct and complete improvements prior to occupancy or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.

6. PW0007 - PARKING STANDARD

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: The parking stalls and circulation shall meet County standards, and shall be subject to the approval of the RMA.

Compliance or Monitoring Action to be Performed: Prior to Building/Grading Permits Issuance, the Owner's/Applicant's engineer/architect shall prepare a parking plan and submit plans for review and approval.

7. PW0010 - SEWER CONNECTION

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Submit utility improvement plans and construct sewer connection(s). The design and construction is subject to the approval of the PWFP/HCD-Encroachment Inspection. Owner/Applicant shall pay all applicable connection fees. Sewer connection permits are required, and Encroachment Permits are required for all work within the public right-of-way.

Compliance or Monitoring Action to be Performed: Owner/Applicant shall submit the design for review and approval of the PWFP/HCD-Encroachment Inspection; obtain a connection permit and encroachment permit, if applicable, from the HCD prior to issuance of building or grading permits; and construct and complete improvements prior to occupancy or commencement of use. Sewer improvements to be constructed in compliance with approved plans. Applicant is responsible to obtain all permits and environmental clearances, any to pay all applicable fees.

8. PW0043 - REGIONAL DEVELOPMENT IMPACT FEE

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Prior to issuance of building permits, applicant shall pay the Regional Development Impact Fee (RDIF) pursuant to Monterey Code Chapter 12.90. The fee amount shall be determined based on the parameters adopted in the current fee schedule. (Public Works)

Compliance or Monitoring Action to be Performed: Prior to issuance of Building Permits Owner/Applicant shall pay Monterey County Building Services Department the traffic mitigation fee. Owner/Applicant shall submit proof of payment to the HCD-Engineering Services.

9. PW0044 - CONSTRUCTION MANAGEMENT PLAN

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: The applicant shall submit a Construction Management Plan (CMP) to HCD-Planning and HCD-Engineering Services for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project.

CMP shall include, at a minimum, duration of the construction, hours of operation, truck routes, estimated number of truck trips that will be generated, number of construction workers, and on-site/off-site parking areas for equipment and workers and locations of truck staging areas. Approved measures included in the CMP shall be implemented by the applicant during the construction/grading phase of the project. (Public Works)

Compliance or Monitoring Action to be Performed: 1. Prior to issuance of the Grading Permit or Building Permit, Owner/Applicant/Contractor shall prepare a CMP and shall submit the CMP to the HCD-Planning and HCD- Engineering Services for review and approval.

2. On-going through construction phases Owner/Applicant/Contractor shall implement the approved measures during the construction/grading phase of the project.

10. PW0045 – COUNTYWIDE TRAFFIC FEE

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Prior to issuance of building permits, the Owner/Applicant shall pay the Countywide Traffic Fee or the ad hoc fee pursuant to General Plan Policy C-1.8. The fee amount shall be determined based on the parameters in the current fee schedule.

Compliance or Monitoring Action to be Performed: Prior to issuance of Building Permits, the Owner/Applicant shall pay Monterey County HCD-Building Services the traffic mitigation fee. The Owner/Applicant shall submit proof of payment to HCD-Engineering Services.

11. PDSP001-Can and Will Serve Letter (PCSD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The project applicant, owner, or future owner shall submit a non-conditional sewer service letter from the Pajaro County Sanitation District to HCD-Planning.

Compliance or Monitoring Action to be Performed: Prior to final occupancy, the applicant shall submit a non-conditional can and will serve letter issued by the Pajaro County Sanitation District to HCD-Planning.

12. PWSP001 – SUSAN STREET OFFSITE IMPROVEMENTS

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: The Owner/Applicant shall construct required accessible pedestrian offsite improvements along Susan Street, such as but not limited to curb, gutter, sidewalk, and including ADA ramps at the intersection of Susan Street and San Juan Road. The design and construction is subject to the approval of the HCD-Engineering Service. Encroachment Permits are required for all work within the public right-of-way.

Compliance or Monitoring Action to be Performed: Owner/Applicant shall submit the design for review and approval of the HCD-Engineering Services, obtain an encroachment permit from the HCD prior to issuance of building or grading permits. All construction and improvements shall be complete prior to occupying or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.

13. PWSP002 – SAN JUAN ROAD OFFSITE IMPROVEMENTS

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: The Owner/Applicant shall construct required sidewalk on northside of San Juan Road for approximately 85 feet, 50 feet west of Susan Street. The design and construction is subject to the approval of the HCD-Engineering Service. Encroachment Permits are required for all work within the public right-of-way.

Compliance or Monitoring Action to be Performed: Owner/Applicant shall submit the design for review and approval of the HCD-Engineering Services, obtain an encroachment permit from the HCD prior to issuance of building or grading permits. All construction and improvements shall be complete prior to occupying or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.

14. PWSP003 – SUSAN STREET

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: The Owner/Applicant shall refresh the stop stencil and stop bar at the intersection of Susan Street and San Juan Road, and refresh the red zones on west and east side of San Juan Road at Susan Street. Encroachment Permits are required for all work within the public right-of-way.

Compliance or Monitoring Action to be Performed: Owner/Applicant shall submit the design for review and approval of the HCD-Engineering Services, obtain an encroachment permit from the HCD prior to issuance of building or grading permits. All improvements shall be completed prior to occupying or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.

15. MM USS-2 DRAINAGE STUDY

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: The Owner/Applicant may be able to connect to the storm drain system provided the following conditions are met. A stormwater downstream conveyance and lift station capacity analysis is required. The downstream capacity study shall include, but not be limited to an evaluation of the impact of this development on the existing lift station and storm drain system and identification of any system improvements necessary to accommodate this project.

Compliance or Monitoring Action to be Performed: Owner/Applicant shall submit a downstream storm drain conveyance and lift station capacity analysis for review. All costs associated with the preparation of the study, including staff time, shall be paid for by the applicant. The capacity analysis shall be completed prior to issuance of building or grading permit. Any improvements required to the system shall be the responsibility of the applicant and shall be completed prior to occupancy of the housing units. Applicant is responsible to obtain all permits and environmental clearances.

16. PWSP005 - ACCESS EASEMENT (MAINTENANCE)

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Prior to issuance of grading permit the applicant shall dedicate a widened access easement along the southern boundary to maintain the existing maintenance access to the lift station. The access surface shall provide unobstructed access to conventional maintenance vehicles including fire apparatus and shall be an all-weather surface designed to support the designed imposed loads. Improvements required within the easement shall be the responsibility of the applicant. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by county maintenance staff is required.

Compliance or Monitoring Action to be Performed: Owner/Applicant shall submit the documents for review and approval of the HCD-Engineering Services, prior to issuance of building occupancy permit. All improvements shall be completed prior to occupancy or commencement of use.

17. PWSP006 - ENCROACHMENT PERMIT (STORM DRAIN CONNECTION)

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Provided the drainage study demonstrates, to the satisfaction of the Public Works Department, the project's ability to connect by either availability of existing capacity within the system or with improvements to the system as identified by the drainage study, the Owner/ Applicant shall obtain an encroachment permit from the HCD-Engineering Services prior to connecting to the storm drain system along the adjacent County owned parcel.

Compliance or Monitoring Action to be Performed: Owner/Applicant shall submit the design for review and approval of the HCD-Engineering Services, obtain an encroachment permit from the HCD prior to issuance of building permit. All improvements shall be completed prior to occupancy or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.

18. PD006 - CONDITION OF APPROVAL / MITIGATION MONITORING PLAN

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring and/or Reporting Plan (Agreement) in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed Agreement. The agreement shall be recorded. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Within sixty (60) days after project approval or prior to the issuance of building and grading permits, whichever occurs first, the Owner/Applicant shall:

- 1) Enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring Plan.
- 2) Fees shall be submitted at the time the property owner submits the signed Agreement.
- 3) Proof of recordation of the Agreement shall be submitted to HCD-Planning.

19. PDSP002 - DUST CONTROL

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: An erosion control plan shall be prepared and maintained for all disturbed surfaces resulting from grading operations, including dust control. As such, the project will be required to implement standard dust control measures as part of grading and building.

Compliance or Monitoring Action to be Performed: Prior to issuance of building or grading permit, the applicant shall provide HCD-Planning staff with an erosion control plan, including dust control measures.

20. MM BIO-1 EMPLOYEE EDUCATION PROGRAM

Responsible Department: RMA-Planning

**Condition/Mitigation
Monitoring Measure:**

A qualified biologist shall conduct an Employee Education Program for the construction crew prior to any construction activities. The qualified biologist shall meet with the construction crew at the onset of construction at the project site to educate the construction crew on the following:

1. the appropriate access route(s) in and out of the construction area and review project boundaries;
2. how a biological monitor will examine the area and agree upon a method which will ensure the safety of the monitor during such activities,
3. the identification of special-status species that may be present;
4. the specific mitigation measures that will be incorporated into the construction effort

**Compliance or
Monitoring
Action to be
Performed:**

Prior to issuance of grading or building permit, the construction plans must contain a note stating, "Construction activities will not occur until an Employee Education Program is conducted by a qualified biologist for the construction crew."

21. MM BIO-2 BOTANICAL SURVEY

Responsible Department: RMA-Planning

**Condition/Mitigation
Monitoring Measure:**

Prior to construction, a focused botanical survey shall be conducted within the project site during the appropriate blooming period (approximately May or June) to determine the presence or absence of Monterey spineflower within the site. If this species is not identified within the project site, no additional mitigation is required.

If Monterey spineflower is identified within the project site, individuals that are not in the construction footprint shall be fenced or flagged for avoidance. A biological monitor shall supervise the installation of protective fencing and shall monitor the site at least once per week until construction is complete to ensure that protective fencing remains intact. If avoidance of all Monterey spineflower is not possible, a Revegetation Plan shall be prepared by a qualified biologist prior to construction. The plan shall include a detailed description of revegetation areas, plant source material, planting specifications, and a monitoring program that describes annual monitoring efforts which incorporate success criteria and contingency plans if success criteria are not met.

**Compliance or
Monitoring
Action to be
Performed:**

Prior to issuance of grading or building permit, the applicant/owner shall submit a botanical survey to HCD-Planning staff indicating presence of Monterey spineflower.

If Monterey spineflower is identified within the project site, individuals that are not in the construction footprint shall be fenced or flagged for avoidance. A biological monitor shall supervise the installation of protective fencing and shall monitor the site at least once per week until construction is complete to ensure that protective fencing remains intact. If avoidance of all Monterey spineflower is not possible, a Revegetation Plan shall be prepared by a qualified biologist prior to construction.

22. MM BIO-3 RAPTOR/MIGRATORY NESTING BIRD

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: To avoid impacts to nesting birds, construction shall commence prior to the nesting season (February 1 through September 15). If this is not possible, a pre-construction survey for nesting birds shall be conducted by a qualified biologist within 15 days prior to the commencement of construction activities in all areas that may provide suitable nesting habitat within 300 feet of the project boundary. If nesting birds are identified during the pre-construction survey, an appropriate buffer shall be imposed within which no construction activities or disturbance will take place (generally 300 feet in all directions). A qualified biologist shall be on-site during work re-initiation in the vicinity of the nest offset to ensure that the buffer is adequate and that the nest is not stressed and/or abandoned. No work shall proceed in the vicinity of an active nest until such time as all young are fledged, or until after September 15 (when young are assumed fledged).

Compliance or Monitoring Action to be Performed: Construction shall commence prior to the nesting season (February 1 through September 15). If this is not possible, a pre-construction survey for nesting birds shall be conducted by a qualified biologist within 15 days prior to the commencement of construction activities in all areas that may provide suitable nesting habitat within 300 feet of the project boundary. If nesting birds are identified during the pre-construction survey, an appropriate buffer shall be imposed within which no construction activities or disturbance will take place (generally 300 feet in all directions). A qualified biologist shall be on-site during work re-initiation in the vicinity of the nest offset to ensure that the buffer is adequate and that the nest is not stressed and/or abandoned. No work shall proceed in the vicinity of an active nest until such time as all young are fledged, or until after September 15 (when young are assumed fledged).

23. MM BIO-4 CRLF BIOLOGIST SURVEY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: A qualified biologist shall survey the project site and immediately adjacent areas 48 hours before and the morning of the onset of work activities for the presence of CRLF. If any life stage of CRLF is observed, construction activities shall not commence until the Service is consulted and appropriate actions are taken to allow project activities to begin

Compliance or Monitoring Action to be Performed: Prior to issuance of a construction or grading permit, a note shall be written on the construction plans indicating that:
"A qualified biologist shall survey the project site and immediately adjacent areas 48 hours before and the morning of the onset of work activities for the presence of CRLF. If any life stage of CRLF is observed, construction activities shall not commence until the Service is consulted and appropriate actions are taken to allow project activities to begin."

24. MM BIO-5 CRLF - GROUND DISTURBANCE & VEGETATION REMOVAL SURVEY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: During ground disturbing activities and vegetation removal, a qualified biologist shall survey appropriate areas of the construction site daily before the onset of work activities for the presence of the CRLF. The qualified biologist shall remain on site until all ground disturbing activities are completed. If any life stage of CRLF is found and these individuals are likely to be killed or injured by work activities, work shall stop and the Service shall be contacted. Construction activities will not resume until the Service is consulted and appropriate actions are taken to allow project activities to continue.

Compliance or Monitoring Action to be Performed: Prior to issuance of a grading permit, the applicant/owner shall submit HCD-Planning staff with the contact information of the qualified biologist enlisted to survey the site for vegetation removal. Additionally, the applicant/owner shall include a note in the construction plans stating:

"During ground disturbing activities and vegetation removal, a qualified biologist shall survey appropriate areas of the construction site daily before the onset of work activities for the presence of the CRLF. The qualified biologist shall remain on site until all ground disturbing activities are completed. If any life stage of CRLF is found and these individuals are likely to be killed or injured by work activities, work shall stop and the Service shall be contacted. Construction activities will not resume until the Service is consulted and appropriate actions are taken to allow project activities to continue."

25. MM BIO-6 CRLF CONSTRUCTION MONITOR

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: After ground disturbing and vegetation removal activities are complete, or earlier if determined appropriate by the qualified biologist, the qualified biologist will designate a construction monitor to oversee on-site compliance with all avoidance and minimization measures. The qualified biologist shall ensure that this construction monitor receives the sufficient training in the identification of CRLF. The construction monitor or the qualified biologist shall be authorized to stop work if the avoidance and/or minimization measures are not being followed. If work is stopped due to the presence of CRLF, the Service shall be notified and construction activities will not resume until the Service is consulted and appropriate actions are taken to allow project activities to continue.

Compliance or Monitoring Action to be Performed: Prior to issuance of construction permit, the applicant/owner shall submit the contact information of the designated construction monitor to HCD-Planning. Evidence of sufficient construction monitor training shall be submitted before construction activities can begin.

26. MM BIO-7 DAILY LOG

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The qualified biologist and the construction monitor shall complete a daily log summarizing activities and environmental compliance throughout the duration of the proposed project. A complete daily log shall be submitted to HCD-Planning to review prior to final occupancy.

Compliance or Monitoring Action to be Performed: Prior to final occupancy, A complete daily log shall be submitted to HCD-Planning.

27. MM BIO-8 COVERED HOLES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: To prevent inadvertent entrapment of CRLF during project construction, all excavated, steepwalled holes or trenches more than two feet deep will be covered at the close of each working day with plywood or similar materials. Before such holes or trenches are filled, they will be thoroughly inspected for trapped animals.

Compliance or Monitoring Action to be Performed: Prior to issuance of construction permit or grading permit the following note shall be added to construction plans:

"All excavated, steepwalled holes or trenches more than two feet deep will be covered at the close of each working day with plywood or similar materials. Before such holes or trenches are filled, they will be thoroughly inspected for trapped animals."

28. MM BIO-9 CRLF EROSION CONTROL MATERIALS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Only tightly woven fiber netting or similar material may be used for erosion control at the project site. Coconut coir matting is an acceptable erosion control material. No plastic mono-filament matting will be used for erosion control, as this material may ensnare wildlife, including CRLF

Compliance or Monitoring Action to be Performed: Prior to issuance of a construction permit, the following note shall be included and adhered to in the construction plans:

"Only tightly woven fiber netting or similar material may be used for erosion control at the project site. Coconut coir matting is an acceptable erosion control material. No plastic mono-filament matting will be used for erosion control."

29. MM BIO-10 CRLF CONSTRUCTION HOURS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Because dusk and dawn are often the times when CRLF are most actively foraging and dispersing, all construction activities shall cease one half hour before sunset and shall not begin prior to one half hour after sunrise.

Compliance or Monitoring Action to be Performed: Prior to issuance of construction or grading permit, the following note shall be included and followed in the construction plans:

"All construction activities shall cease one half hour before sunset and shall not begin prior to one half hour after sunrise."

30. MM BIO-11

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: All trash that may attract predators shall be properly contained, removed from the construction site, and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.

Compliance or Monitoring Action to be Performed: Prior to final occupancy, applicant/owner shall submit evidence of the project site clear of trash and construction debris.

31. MM CR-2

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: In order to reduce potential impacts to cultural resources during construction activities, a subsurface investigation shall be conducted by a County approved cultural monitor prior to initiation of construction. Should the assessment conclude that there are no potential impacts or evidence of cultural resources in the development area, the applicant shall proceed with the proposed project. If the find is determined to be significant, work shall remain halted

Compliance or Monitoring Action to be Performed: Prior to issuance of building permit or grading permit, the applicant/owner shall submit a subsurface investigation from a County approved cultural monitor.

32. MM GEO-1

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The building pads for the proposed buildings must be cleared and grubbed of all surface vegetation prior to grading work or construction of the building foundation systems. Recommendations for grading and foundation specified in the Soils Surveys Geotechnical Report shall be followed.

Compliance or Monitoring Action to be Performed: Prior to issuance of grading or construction permits, the applicant shall provide certification from a licensed practitioner that recommendations in the geotechnical report have been incorporated in the grading and construction plans.

33. MM GEO-4

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The site grading, soil compaction, and foundation systems will incorporate the recommendations found in the project-specific geotechnical report as provided by Soil Surveys, Inc. in October 2021. All buildings will meet the requirements of the latest edition of the Uniform Building Code and the County of Monterey Building Department. All construction will be designed to meet the requirements for Seismic Zone 4 Building Codes. Recommended inspections by the geotechnical engineer shall be performed during construction.

Compliance or Monitoring Action to be Performed: Prior to final inspection, the owner/applicant shall provide HCD with a letter from a licensed practitioner certifying that the project has been constructed in accordance with the geotechnical report.

34. MM HYD-1

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Actual water use for the project shall not exceed 17.9-acre feet per year (AFY). In order to ensure that water use remains under 17.9 Acre feet per year, the applicant/owner must provide the Monterey County Environmental Health Bureau with actual water use data every 4 months for the first two years following approval of a certificate of occupancy or final building permit inspection. After the first two years of reporting, the applicant/owner shall submit evidence of actual water use annually. Annual reports shall be submitted no later than January 31 of the following year. Data submitted shall provide the amount of water used in Acre Feet per year (AFY) and in gallons per day.

In the event that water usage exceeds 17.9 AFY, the applicant will be required to submit a plan to Housing and Community Development and the Environmental Health Bureau for review and approval that contains measures that will reduce the actual water use in the following year to no more than 17.9 AFY minus any amount of water used in excess of 17.9 AFY in the prior year. (E.g. 2 AFY over the baseline water use demand in a given year would result in a 2 AFY decrease in available water use for the following year or 15.9 AFY). The plan may include water conservation measures or reductions in occupancy to ensure that the actual water use will be reduced to specified levels.

Failure to reduce water usage to in any year following a year that exceeds the limits will result in a mandatory occupancy limit reductions as determined by HCD and the Environmental Health Bureau. This condition and monitoring requirement shall be effective until or unless substantial evidence is provided that the Corralitos-Pajaro Valley Groundwater Basin is no longer in an overdraft condition.

Compliance or Monitoring Action to be Performed: Concurrent with use, the applicant/owner shall provide HCD-Planning and Environmental Health Bureau staff with water use data every 4 months for the first 2 years. After two years, the applicant/owner shall provide HCD-Planning and Environmental Health Bureau staff with water use data annually. Water use data shall be in gallons per day and in Acre/feet per year.

In the event that water usage exceeds 17.9 AFY, the applicant will be required to submit a plan to Housing and Community Development and the Environmental Health Bureau for review and approval that contains measures that will reduce the actual water use in the following year to no more than 17.9 AFY minus any amount of water used in excess of 17.9 AFY in the prior year. (E.g. 2 AFY over the baseline water use demand in a given year would result in a 2 AFY decrease in available water use for the following year or 15.9 AFY). The plan may include water conservation measures or reductions in occupancy to ensure that the actual water use will be reduced to specified levels.

Failure to reduce water usage to in any year following a year that exceeds the limits will result in a mandatory occupancy limit reductions as determined by HCD and the Environmental Health Bureau. This condition and monitoring requirement shall be effective until or unless substantial evidence is provided that the Corralitos-Pajaro Valley Groundwater Basin is no longer in an overdraft condition.

35. MM NOISE-1 CONSTRUCTION NOISE REDUCTION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Noise-generating construction operations must occur between the least noise-sensitive periods of the daytime hours Monday through Saturday (thirty minutes after sunrise or 7:00am, whichever comes latest to thirty minutes prior to sunset or 8:00 pm, whichever comes first); no construction operations on Sundays or holidays. Additionally, construction equipment must be properly maintained and all internal combustion engine-driven equipment must contain intake and exhaust mufflers that are in good condition and appropriate for the equipment. Stationary noise generating equipment and equipment staging areas must be located as far as possible from adjacent residential receivers. The applicant shall designate a "disturbance coordinator" responsible for responding to complaints about construction noise. The disturbance coordinator shall be responsible for determining cause of noise complaint and will require reasonable measures be implemented to correct the problem. If deemed necessary by HCD staff, the disturbance coordinator shall provide evidence of measures taken to resolve the complaint. The applicant shall provide HCD staff with the name and the contact information of the designated disturbance coordinator, and display such information prominently at the construction site.

Compliance or Monitoring Action to be Performed: Prior to issuance of construction or grading permit, the applicant shall create a Construction Management Plan that includes the following:

- A note that includes the approved noise generating construction hours.
- Locations for stationary noise generating construction equipment and staging areas
- A note that all construction equipment shall be properly maintained and equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment

36. MM TCR-1 CONTRACTOR SENSITIVITY TRAINING

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to any digging or excavation at the site, the owner/applicant shall have all grading contractors attend a sensitivity training provided by a qualified archaeologist and a tribal representative.

Compliance or Monitoring Action to be Performed: Prior to any digging or excavation at the site, the owner/applicant shall have all grading contractors attend a sensitivity training provided by a qualified archaeologist and a tribal representative.

No more than 10 days after the sensitivity training is conducted, the owner/applicant shall submit evidence to Housing & Community Development that demonstrates that contractors and employees performing grading activities at the site have attended a training on archaeological and tribal cultural resource sensitivity prior to digging or excavation. The evidence shall be acknowledged by the trainers, shall include the trainers names and names of trainees, and the date the training was conducted.

37. MM TCR-2 ON-SITE TRIBAL MONITOR

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: To ensure that Tribal Cultural Resources incur less than significant impacts, a Tribal Monitor approved by the appropriate tribe traditionally and culturally affiliated with the vicinity of the subject parcel and that has consulted with the County and designated one lead contact person in accordance with AB 52 requirements, or other appropriately NAHC-recognized representative, shall be on-site during project-related grading and excavation to identify findings with tribal cultural significance. This Tribal Monitor shall have the authority to temporarily halt work in order to examine any potentially significant cultural materials or features. If resources are discovered, the owner/applicant/contractor shall stop work and contact the County and an professional archaeologist to evaluate the resources and develop a plan for the testing, treatment, and disposition of resources. This mitigation is not intended to alleviate responsibility of the owner or its agents from contacting the County Coroner and complying with State law if human remains are discovered.

Compliance or Monitoring Action to be Performed: Prior to issuance of construction permits for grading or building, the owner/applicant shall include a note on the construction plans encompassing the language contained in Mitigation Measures 1 and 2, including all compliance actions. The owner/applicant shall submit said plans to HCD-Planning for review and approval.

Prior to issuance of a construction permit for grading and/or building, the Applicant/Owner shall submit evidence to the satisfaction of the Chief of Planning that a monitor approved by the appropriate tribe traditionally and culturally affiliated with the vicinity of the subject parcel and that has consulted with the County and designated one lead contact person in accordance with AB 52 requirements, or other appropriately NAHC-recognized representative, has been retained to monitor the appropriate construction activities. This Tribal Monitor shall be retained for the duration of project-related grading and excavation.

Any artifacts found that are not associated with a finding of human remains shall be cataloged by both the Tribal Monitor and the qualified archaeological monitor. Once cataloged, the qualified archaeological monitor will take temporary possession of the artifacts for testing and reporting purposes. Upon completion of these testing and reporting activities, all artifacts, at the discretion of the property owner, shall be returned within one (1) year to a representative of the appropriate local tribe as recognized by the Native American Heritage Commission, or the Monterey County Historical Society. A final technical report containing the results of all analyses shall be completed within one year following completion of the field work. This report shall be submitted to RMA-Planning and the Northwest Regional Information Center at Sonoma State University. Artifacts associated with a finding of human remains shall be reburied in accordance with State Law and penalty for violation pursuant to PRC section 5097.994.

Prior to final building inspection, the Tribal Monitor or other appropriately NAHC-recognized representative shall submit a letter to HCD-Planning confirming participation in the monitoring and provide a summary of archaeological and/or cultural finds or no finds, as applicable.

38. MM USS-1 FINAL STORMWATER CONTROL PLAN

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: A final stormwater control plan shall be submitted to HCD-Planning, Environmental Services, and Developmental Services staff for review.

Compliance or Monitoring Action to be Performed: Prior to issuance of building or grading permit, the owner/applicant shall receive approval for a final stormwater control plan that shall include but not be limited to analysis and discussion on how the project will mitigate against excess stormwater runoff and higher runoff rates to a standard that has less than significant impacts on the existing area and stormwater drainage system. The final stormwater control plan shall be submitted to HCD- Environmental Services for review and approval.

39. CC01 INDEMNIFICATION AGREEMENT

Responsible Department: County Counsel-Risk Management

Condition/Mitigation Monitoring Measure: The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, recordation of the certificates of compliance whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless. (County Counsel-Risk Management)

Compliance or Monitoring Action to be Performed: Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, or recordation of Certificates of Compliance, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Office of County Counsel-Risk Management for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the Office of County Counsel-Risk Management

40. PDSP004 - AGRICULTURAL EMPLOYEE HOUSING RECREATION AND LANDSCAPE PLAN

Responsible Department: RMA-Planning

**Condition/Mitigation
Monitoring Measure:**

The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan consistent with condition 4, "PDSP004 - AGRICULTURAL VEGETATIVE SCREENING & AGRICULTURAL BUFFER LINE ON CONSTRUCTION PLANS (NON-STANDARD CONDITION" shall be submitted to the Director of HCD - Planning. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping and shall include an irrigation plan and information of proposed vegetative agricultural screening. The landscaping shall be installed and inspected prior to final occupancy. All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. All outdoor recreation facilities as proposed shall be implemented prior to final occupancy. (HCD - Planning)

**Compliance or
Monitoring
Action to be
Performed:**

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit landscape plans and contractor's estimate to HCD - Planning for review and approval. Landscaping plans shall include the recommendations from the Agricultural Advisory Committee, Agricultural Commissioner's Office, or Biological Survey as applicable. All landscape plans shall be signed and stamped by licensed professional under the following statement, "I certify that this landscaping and irrigation plan complies with all Monterey County landscaping requirements including use of native, drought-tolerant, non-invasive species; limited turf; and low-flow, water conserving irrigation fixtures.

Prior to final occupancy, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall ensure that the landscaping shall be installed and inspected.

On an on-going basis, all landscaped areas and fences shall be continuously maintained by the Owner/Applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. Materials necessary for recreation shall be provided and maintained by the Owner/Applicant.

Prior to final occupancy, the Owner/Applicant shall install all outdoor recreation facilities and submit evidence to HCD-Planning Staff."

41. H01 - Housing, Inclusionary Housing

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The Property owner shall provide a copy of the Employer Sponsored Housing Permit issued by the Monterey County Health Department's Environmental Health Bureau within 30-days of the Permit being issued.

The Project is subject to the County's Inclusionary Housing Ordinance, #04185 and General Plan Land Use Policy LU-2.13, which requires that the project contribute 11.8 Inclusionary Housing Units and 2.95 Affordable Housing Units if the Property Owner fails to maintain an Employer Sponsored Housing Permit.

Compliance or Monitoring Action to be Performed: Prior to the issuance of the first building permit the project applicant shall execute and record on title an Inclusionary Housing Agreement with the County, in a form acceptable to the County, that specifies that the following units shall be provided on site, three units at workforce 1-income level; four units at a moderate-income level; four units at a low-income level; three units at a very low-income level; and, the Property Owner shall have the option of either: providing a fifth workforce 1-income level unit; or, paying a fractional in-lieu fee of \$50,860 for the remaining 0.75 workforce 1-income level unit. The Agreement shall address, but not limited to, the type and size of the unit, the location of the unit, pricing, and selection of tenants.

42. MM CR-1

Responsible Department: RMA-Planning

**Condition/Mitigation
Monitoring Measure:**

In order to prevent impacts to Cultural Resources and Tribal Cultural Resources, Owner/Applicant shall include requirements of this condition as a note on all grading and construction plans. The note shall state "If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County RMA - Planning, Native American Heritage Commission (NAHC) designated tribal representative and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner, NAHC designated tribal representative and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the recovery.

Prior to resuming any further project-related ground disturbance, Owner/Applicant shall coordinate with the project planner, NAHC designated tribal representative and a qualified archaeologist to determine a strategy for either return to the Tribe or reburial. Any artifacts found that are not associated with a skeletal finding shall be returned to the aboriginal tribe.

If human remains are accidentally discovered during construction, the following steps will be taken:

- There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent resources until:
- The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and
- If the coroner determines the remains to be Native American:
 - o The coroner shall contact the Native American Heritage Commission and HCD-Planning within 24 hours.
 - o The Native American Heritage Commission shall identify the person or persons from a recognized local tribe of the Esselen, Salinan, Costanoan/Ohlone and Chumash tribal groups, as appropriate, to be the most likely descendent.
 - o The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.9 and 5097.993, or
 - o Where the following conditions occur, the landowner or his authorized representatives shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance:

? The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission.

? The descendent identified fails to make a recommendation; or

? The landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

**Compliance or
Monitoring
Action to be
Performed:**

Prior to issuance of grading or construction permits, the following note shall be included on the plans:

"Throughout grading and construction activities, the procedures outlined in Mitigation Measure CR-1 shall be adhered to."

Susan Street
Agricultural
Employee Housing

12.45 N.E. 87.87 BUSAN ST
PAJARO, CA 95021
APN: 11708101000

Project / Owner
Susan Street
Agricultural
Employee Housing

12.45 N.E. 87.87 BUSAN ST
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12.45 N.E. 87.87 BUSAN ST
PAJARO, CA 95021
APN: 11708101000

Project / Owner
Susan Street
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Checked By: AC
Project Number: 2118

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PROJECT INFORMATION

LOCATION: 12.45 N.E. 87.87 BUSAN ST
A/P/L: 11708101000
PROJECT TYPE: AGRICULTURAL EMPLOYEE HOUSING
PROJECT DESCRIPTION: CONSTRUCTION OF A 16-UNIT RESIDENTIAL UNIT HOUSING PROJECT WITH 10-UNIT COMMERCIAL UNIT FOR RESIDENTIAL MANAGER.

SHEET INDEX

- AS-1 COVER SHEET
AS-2 GENERAL DEVELOPMENT PLAN
AS-3 MATERIALS & SYMBOLS
AS-4 SITE PLAN
AS-5 SITE PLAN
AS-6 SITE PLAN
AS-7 SITE PLAN
AS-8 SITE PLAN
AS-9 SITE PLAN
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AS-12 SITE PLAN
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AS-28 SITE PLAN
AS-29 SITE PLAN
AS-30 SITE PLAN

GENERAL DEVELOPMENT PLAN

GENERAL DEVELOPMENT PLAN. This plan shows the location of the project on the site and the general layout of the project. It includes the location of the project on the site and the general layout of the project.

MATERIALS & SYMBOLS

Table with columns for Material/Symbol and Description. Includes symbols for various materials like concrete, asphalt, and landscaping.

ABBREVIATIONS

Table listing abbreviations for various materials and symbols used in the plan, such as 'CONCRETE', 'ASPHALT', 'LANDSCAPING'.

PROJECT DIRECTORY

- PROJECT OWNER: SUSAN STREET
CONTRACTOR: PAUL DAVIS PARTNERSHIP
PROJECT MANAGER: PAUL DAVIS
LUMP SUMMER: PAUL DAVIS
DESIGNER: PAUL DAVIS
ARCHITECT: PAUL DAVIS
ELECTRICAL ENGINEER: PAUL DAVIS

PROJECT DIRECTORY

- PROJECT OWNER: SUSAN STREET
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ARCHITECT: PAUL DAVIS
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PROJECT MANAGER: PAUL DAVIS
LUMP SUMMER: PAUL DAVIS
DESIGNER: PAUL DAVIS
ARCHITECT: PAUL DAVIS
ELECTRICAL ENGINEER: PAUL DAVIS

Table with columns: BUILDING TYPE AND UNIT INFORMATION, UNIT NO., UNIT TYPE, UNIT AREA (SF), UNIT PRICE (\$/SF), UNIT TOTAL (\$).

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Cover Sheet

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Project / Owner

12.45 N.E. 87.87 BUSAN ST
PAJARO, CA 95021
APN: 11708101000

Project / Owner

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APN: 11708101000

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APN: 11708101000

Project / Owner

Project / Owner

Project / Owner:
**Susan Street
 Agricultural
 Employee Housing**
 161, 162, & 163 SUSAN ST
 PALMDALE, CA 91302
 APRIL 11, 2018 (CNS-1800)

BUILDING TYPE AND UNIT SUB-CATEGORY	1 BR. UNITS	2 BR. UNITS	3 BR. UNITS	4 BR. UNITS	5 BR. UNITS	TOTAL AREA (SQ FT)	TOTAL AREA (SQ FT)
A - 2-STORY	1	1	1	1	1	8,143 SF	16,286 SF
B - 2-STORY	1	1	1	1	1	8,143 SF	16,286 SF
C - 2-STORY	1	1	1	1	1	8,143 SF	16,286 SF
D - 2-STORY	1	1	1	1	1	8,143 SF	16,286 SF
E - 2-STORY	1	1	1	1	1	8,143 SF	16,286 SF
F - 2-STORY	1	1	1	1	1	8,143 SF	16,286 SF
G - 2-STORY	1	1	1	1	1	8,143 SF	16,286 SF
H - 2-STORY	1	1	1	1	1	8,143 SF	16,286 SF
I - 2-STORY	1	1	1	1	1	8,143 SF	16,286 SF
J - 2-STORY	1	1	1	1	1	8,143 SF	16,286 SF
K - 2-STORY	1	1	1	1	1	8,143 SF	16,286 SF
L - 2-STORY	1	1	1	1	1	8,143 SF	16,286 SF
M - 2-STORY	1	1	1	1	1	8,143 SF	16,286 SF
N - 2-STORY	1	1	1	1	1	8,143 SF	16,286 SF
O - 2-STORY	1	1	1	1	1	8,143 SF	16,286 SF
TOTAL	1	1	1	1	1	8,143 SF	16,286 SF

THESE AREAS DO NOT INCLUDE STAIRS AND DECK

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THE PAUL DAVIS PARTNERSHIP ARCHITECTS & PLANNERS
 The Paul Davis Partnership, LLP
 1000 S. GARDEN ST., SUITE 200
 GARDEN CITY, CA 95925
 TEL: 916.437.7100 FAX: 916.437.7100
 EMAIL: paul.davis@pauldavis.com



Drawn By: AC
 Drawing Date: 10.14.2017
 Project Number: 2114

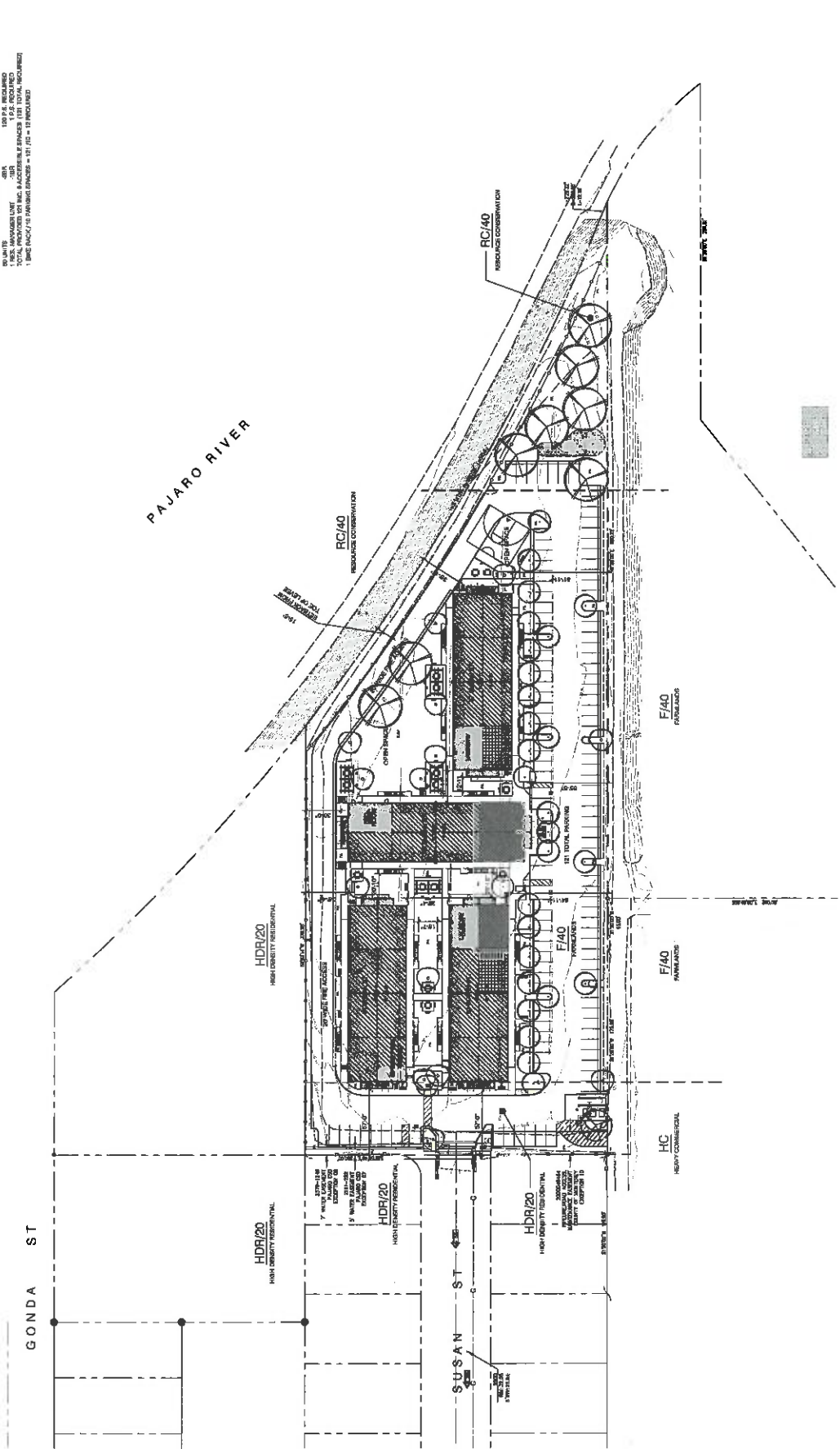
Revision:
 Planning Revisions 10-14-2017
 Planning Revisions 11-09-2017
 Planning Revisions 01-10-2018

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PROPOSED SITE PLAN

Sheet Number

A1.1



PROPOSED SITE PLAN
 SCALE: 1" = 40'



Project / Owner:
**Susan Street
 Agricultural
 Employee Housing**
 51, 53, 55, & 57 SUSAN ST
 PALMDALE, CA 90078
 APN: 11798-014000

**THE
 PAUL DAVIS
 PARTNERSHIP
 ARCHITECTS & PLANNERS**
 The Paul Davis Partnership, LLP
 10000 Wilshire Blvd., Suite 200
 Beverly Hills, CA 90210
 (310) 274-2200 FAX (310) 274-2200
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Drawn By: AC
 Date: 10.14.2021
 Project Number: 2114

Revision:
 Printing Scheduled: 10-14-2021
 Printing Rescheduled: 10-20-2021
 Printing Rescheduled: 10-27-2021

**OVERALL FLOOR
 PLANS**

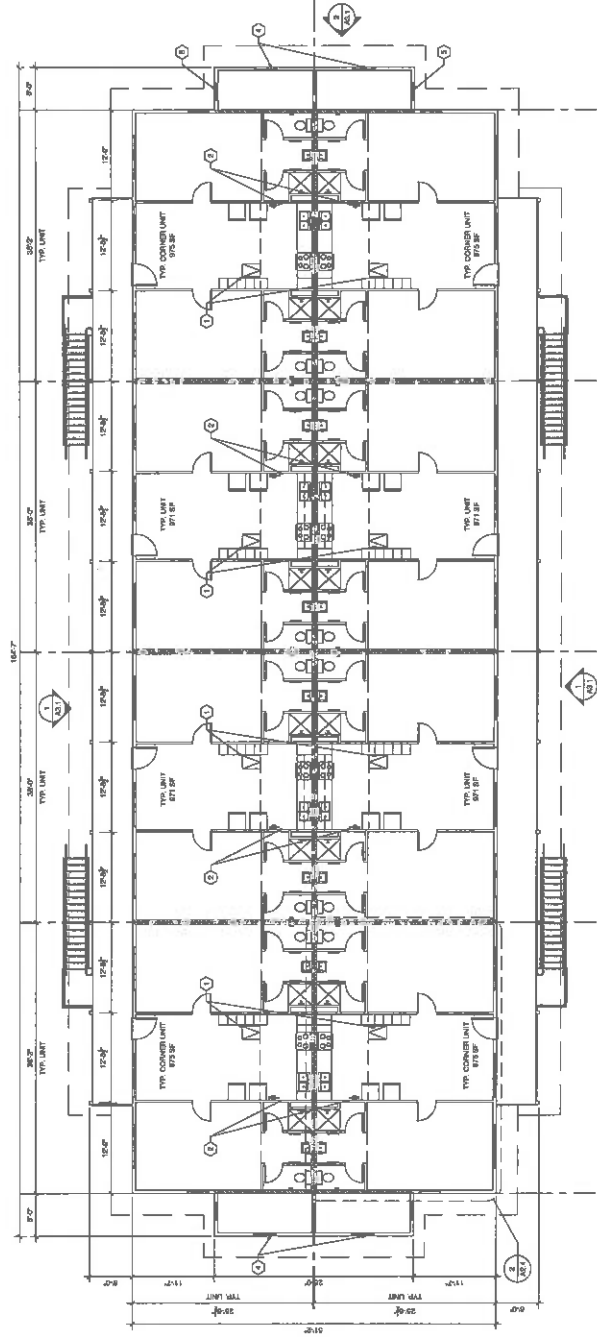
Sheet Number:

A2.1

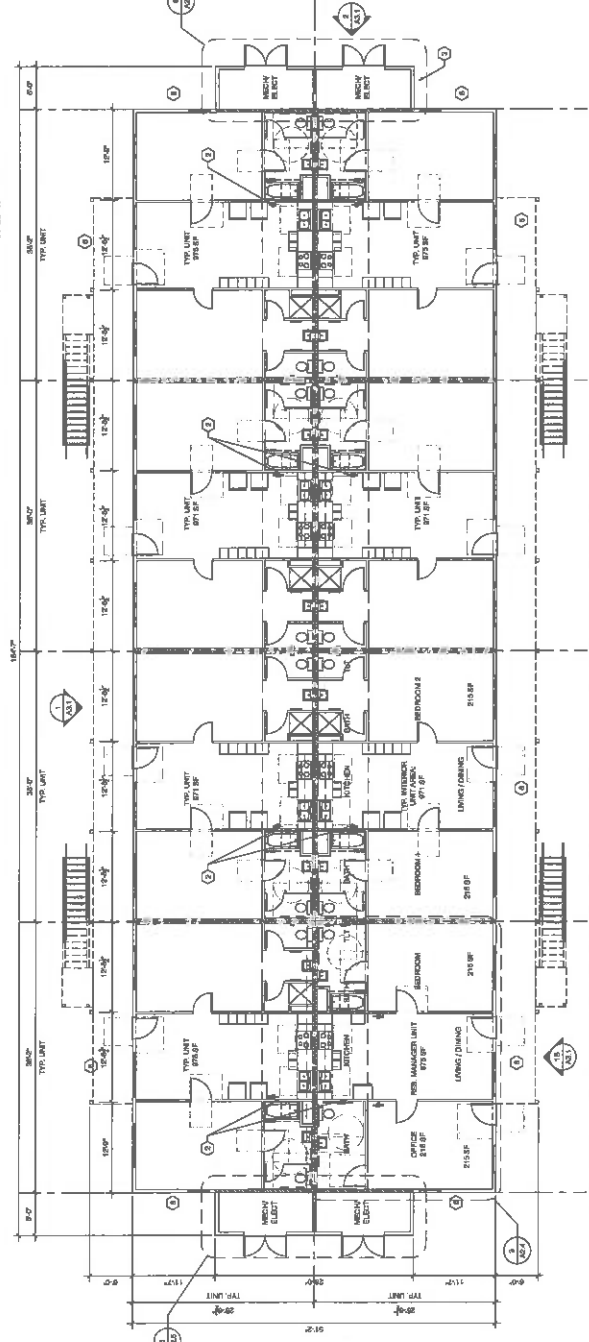
- GENERAL NOTES**
- SEE SHEET A1.1 SITE PLAN FOR BUILDING ORIENTATION AND EXACT LOCATION OF MECHANICAL AND ELECTRICAL ROOMS.
 - ATTIC ACCESS AREA: 22'-0" OR AT LEAST AS LARGE AS EQUIPMENT SERVED AND NOT OVER 30' FROM THE PASSENGER WAY.
 - UNRESTRICTED PASSENGER WAY: 2' MINES X 30" HIGH W/ SOLID CONTIGUOUS FLOORING FROM THE ACCESS TO THE EQUIPMENT CONTROL PANEL. THE PASSENGER WAY SHALL BE 18" MIN W/ 1/2" RADIUS. THE LARGEST COMPONENT OF THE APPLIANCE.
 - ALWAYS WORKING PLATEFORM NOT LESS THAN 3" SQUARE AND 30" HIGH IN FRONT OF THE SERVICE SIDE OF THE APPLIANCE.
 - FIRE BLOCKING SHALL BE INSTALLED IN COMBUSTIBLE CONSTRUCTION IN ACCORDANCE WITH THE LATEST EDITION OF THE CALIFORNIA FIRE CODE, AND SHALL BE INSTALLED IN ALL LOCATIONS, ALSO SEE SHEET A01 FOR DETAILS.
 - IN CONCEALED SPACES OF STUD WALLS AND PARTITIONS, INCLUDING PURRER SPACES AND VERTICAL JOINTS AT THE CEILING AND FLOOR LEVELS.
 - CEILING: 1/2" MIN. SEC. 718.2.2
 - FLOOR: 1/2" MIN. SEC. 718.2.2
 - AT INTERSECTIONS BETWEEN CONCEALED VERTICAL AND HORIZONTAL SPACES SUCH AS OCCUR AT SUPPORTS, JOINTS, RISERS AND COVE CEILING. SEC. 718.2.3, 718.2.3.
 - AT OPENINGS ABOVE VENTS, PIPES, DUCTS, CABLES AND WIRES AT CEILING AND FLOOR LEVEL, WITH AN APPROVED MATERIAL, TO PERMIT THE FREE PASSAGE OF AIR THROUGH THE OPENING. THE CLEARANCE OF THE FLOORING SHALL NOT BE REQUIRED TO MEET THE ASTM E159 REQUIREMENTS. SEC. 709, SEC. 718.2.3.

- LEGEND**
- 1 HORIZONTAL PARTY WALL
 - NON-RATED WALL
 - BUILDING LETTER
 - UNIT NUMBER

- SHEET NOTES**
- 22'-0" INSULATED ACCESS AT FLOOR, PROVIDE OUTLET, SWITCH AND GROUND FLUORESCENT LIGHT IN ATTIC SPACE, TYP FOR EACH UNIT.
 - 24" WIDE FIRE EXTINGUISHERS MOUNT DUTY BRACKET 4" TOP AT 4' APV, TYP FOR EACH UNIT.
 - FIRE EXTINGUISHER CABINET AND 24" WIDE FIRE EXTINGUISHER TYP AT 4' APV, FLOOR BARBICOUT AREA. SEC. A1 FOR LOCATION.
 - WIREWORK ABOVE AND BELOW FLOORING AND FLOORING SHALL BE SLOPED AWAY FROM THE BUILDING TO MIN. 1% SLOPE FOR A MIN. DISTANCE OF 10' MEASURED PERPENDICULAR TO THE FACE OF THE WALL.
 - WALL LOWER SEE ARCH. DRAWING.
 - SEE SHEET A1.1 FOR DETAILS.
 - SEE SHEET A1.1 FOR DETAILS.
 - SEE SHEET A1.1 FOR DETAILS.
 - SEE SHEET A1.1 FOR DETAILS.
 - SEE SHEET A1.1 FOR DETAILS.



2 OVERALL SECOND FLOOR PLAN - TYPICAL ALL BLDGS. A
 SCALE: 1/8" = 1'-0"



1A OVERALL FIRST FLOOR PLAN W/ RES. MNGR & OFFICE - BLDGS. A
 SCALE: 1/8" = 1'-0"



THE PAUL DAVIS PARTNERSHIP ARCHITECTS & PLANNERS

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 310.274.1900 paul.davis@pdp.com



Drawn By: AC
 Opening Date: 10.14.2021
 Project Number: 2114

Revisions:
 Planning Submittal 10-14-2021
 Planning Submittal 10-22-2021
 Planning Re-submittal 07-27-2022

Sheet Title:
OVERALL FIRST FLOOR PLANS

Sheet Number:
A2.2

GENERAL NOTES

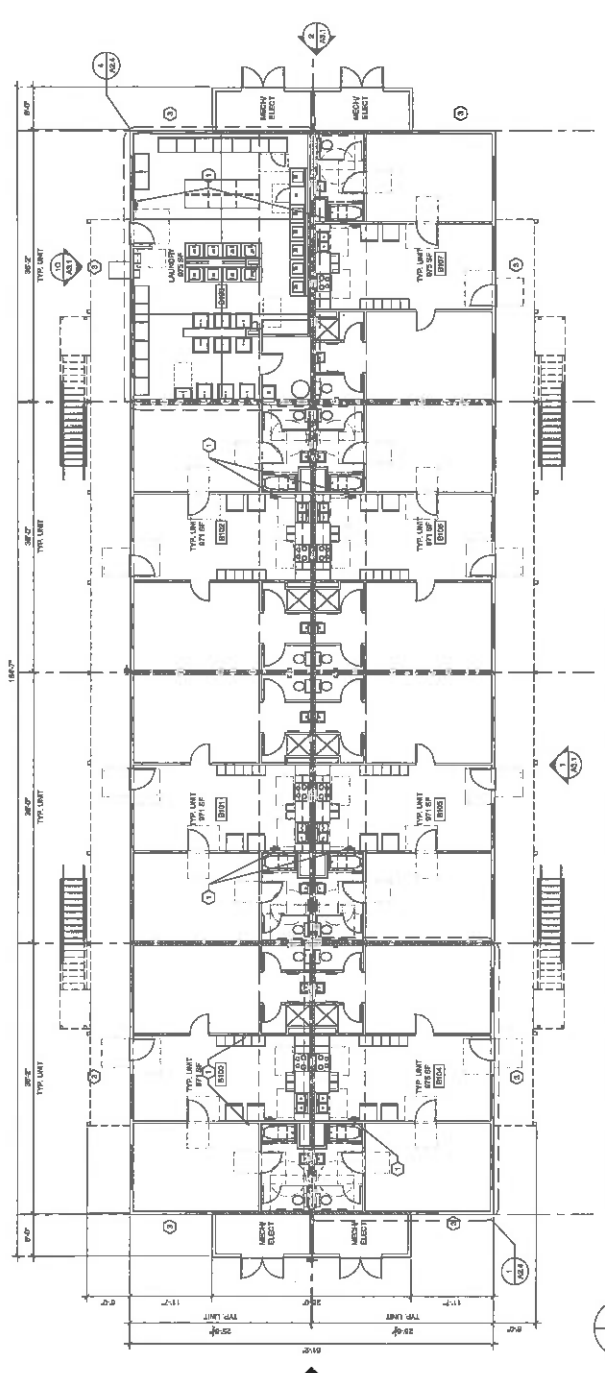
- SEE SHEET A1.1 SITE PLAN FOR BUILDING ORIENTATION AND EXACT LOCATION OF MECHANICAL AND ELECTRICAL ROOMS.
- FOR TYPICAL SECOND FLOOR PLAN - SEE SHEET A2.1.
- FIRE EXITS SHALL BE INSTALLED IN COMPLIANCE WITH SECTION 718 IN THE FOLLOWING LOCATIONS - ALSO SEE SHEET A81 FOR DETAILS.
- CONCEALED SPACES OF STUD WALLS AND PARALLEL ROWS OF STUDS OR STAGGERED STUDS AS FOLLOWS:
 - VERTICALLY AT THE CEILING AND FLOOR LEVELS
 - HORIZONTALLY AT INTERVALS NOT EXCEEDING 10 FEET. CIRC 2019, SECT 718.2.2
- ALL INTERSECTIONS BETWEEN CHANNELS AND NETWORKS SHALL BE PROTECTED WITH APPROVED FIRE RATED ENCLOSURE. DROP CEILING AND COVER CEILING. CSC 2016, SECT. 718.2.3
- AT OPENINGS AROUND VENTS, PIPES, DUCTS, CABLES APPROVED MATERIAL TO ASSIST THE FIRE PROTECTION OF THE PLUMBING AND ELECTRICAL SYSTEMS. THE MATERIAL SHALL BE INSTALLED TO MEET THE REQUIREMENTS OF SECTION 718.2.5

LEGEND

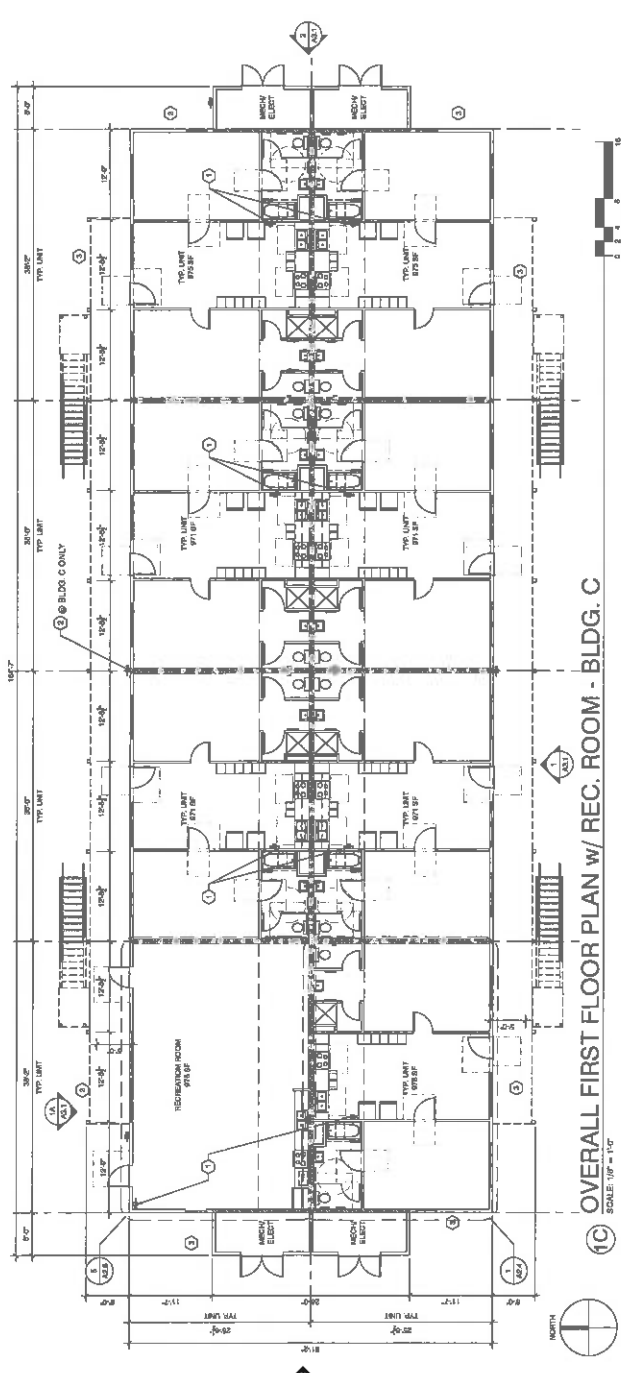
- 1 HR RATED PARTY WALL
- NON-RATED WALL
- BUILDING LETTER
- UNIT NUMBER

SHEET NOTES

- 24" X 30" FIRE EXTINGUISHER & 1/2" THICK BATTERY TOP AT 4' ON TOP OF 1" RATED PARTY WALL.
- FIRE EXTINGUISHER CABINET AND BATTERY TOP SHALL BE INSTALLED TO THE FACE OF THE PARTY WALL. THE BATTERY TOP SHALL BE INSTALLED TO THE FACE OF THE PARTY WALL.



(B) OVERALL FIRST FLOOR PLAN - BLDG. B w/ LAUNDRY
 SCALE: 1/8" = 1'-0"



(C) OVERALL FIRST FLOOR PLAN w/ REC. ROOM - BLDG. C
 SCALE: 1/8" = 1'-0"

Project / Owner:

**Susan Street
Agricultural
Employee Housing**

51, 52, 53, 54 SUSAN STREET
PALMDALE, CA 91308

APRIL 17, 2014 09:46:08

GENERAL NOTES

1. SEE SHEET A1 SITE PLAN FOR BUILDING ORIENTATION AND EXACT LOCATION OF MECHANICAL AND ELECTRICAL ROOMS.
2. FOR TYPICAL SECOND FLOOR PLAN, SEE SHEET A2.1
3. FIRE BLOCKING SHALL BE INSTALLED IN CONFORMANCE WITH SECTION 710 IN THE FOLLOWING LOCATIONS: ALSO SEE SHEET A3 FOR DETAILS
4. IN CONCRETE BRACES OF STUD WALLS AND PARTITIONS INCLUDING PARTITIONS AND WALLS, FINISH OF STUD WALLS SHALL BE FINISHED TO FACE OF STUD WALLS. FINISH OF STUD WALLS SHALL FOLLOW:
 - a.1 VERTICALLY AT THE CEILING AND FLOOR LEVELS.
 - a.2 HORIZONTALLY AT INTERVALS NOT EXCEEDING 10 FEET. (SEE SECTION 710.2.2)
5. AT INTERSECTIONS BETWEEN CONCEALED VERTICAL AND HORIZONTAL PIPING, THE PIPING SHALL BE PROTECTED BY CONCRETE BRACES AND CEILING BRACES. (SEE SECTION 710.2.3)
6. AT OPENINGS AROUND VENT'S, PIPER DUCTS, CABLES AND WIRES AT CEILING AND FLOOR LEVEL, WITH AN APPROVED METHOD OF PROTECTION, THE MATERIAL SHALL BE PROTECTED TO PREVENT THE MATERIAL FROM BEING DAMAGED BY MEANS OF THE PIPING. THIS APPROXIMATE SPACE SHALL NOT BE REQUIRED TO BE PROTECTED WITH CONCRETE BRACES OR CEILING BRACES. (SEE SECTION 710.2.5)

THE PAUL DAVIS PARTNERSHIP ARCHITECTS & PLANNERS

The Paul Davis Partnership, LLP
15010 SHERWOOD DRIVE
MOUNTAIN VIEW, CA 92654
(949) 375-1200 FAX (949) 375-1900
info@pauldavispartnership.com



Drawn By: AC
Drawing Date: 10/14/2011
Project Number: 2114

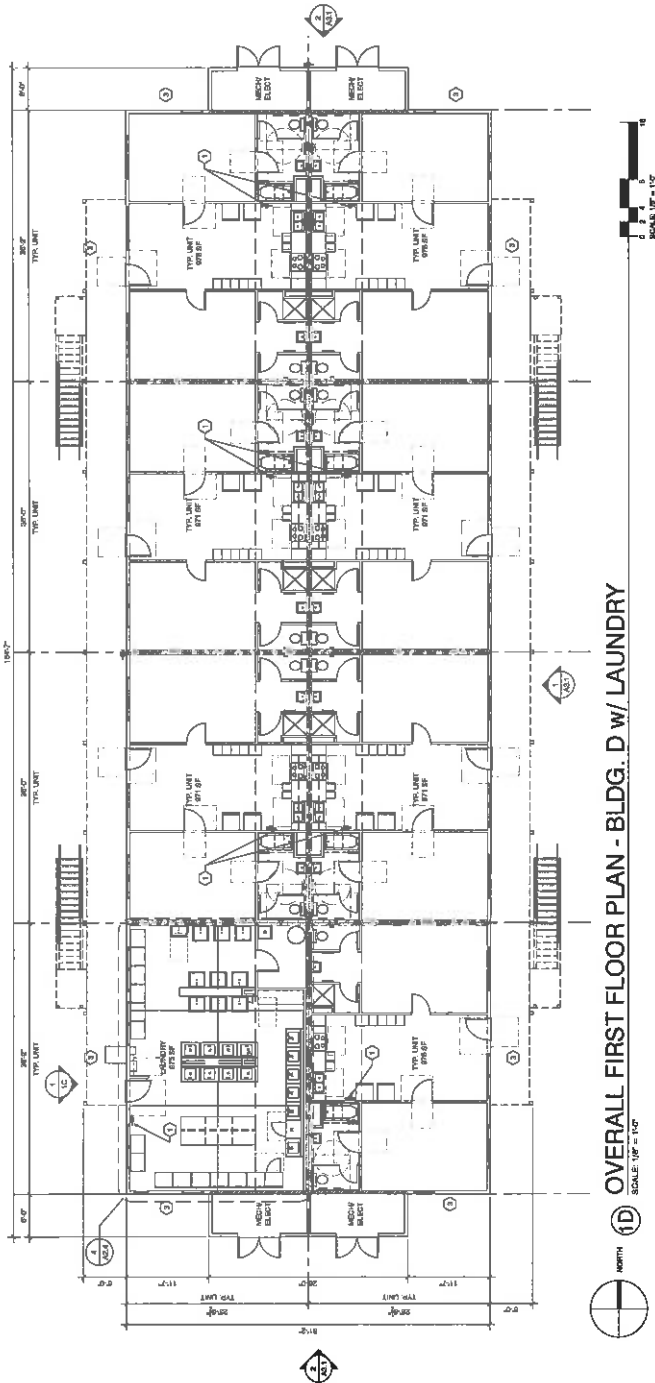
Revision:
Planning Submittal: 10-14-2011
Planning Re-submittal: 11-02-2011
Planning Re-submittal: 01-02-2012

THIS PLAN AND ALL PARTS THEREOF ARE THE PROPERTY OF THE ARCHITECT. NO PART OF THIS PLAN IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

**Sheet The
OVERALL FIRST
FLOOR PLAN**

Sheet Number:

A2.3



OVERALL FIRST FLOOR PLAN - BLDG. D w/ LAUNDRY
SCALE: 1/8" = 1'-0"



10

LEGEND

- NON-NOTED WALL
- RELINKED LETTER
- UNIT NUMBER

SHEET NOTES

1. ALL VERTICAL PIPING SHALL BE HEAVY DUTY BRACKETED TO TOP AT 40'.
2. ALL VERTICAL PIPING SHALL BE PROTECTED TO PREVENT THE MATERIAL FROM BEING DAMAGED BY MEANS OF THE PIPING.
3. GROUND IMMEDIATELY ADJACENT TO THE FOUNDATION SHALL BE PROTECTED TO PREVENT THE MATERIAL FROM BEING DAMAGED BY MEANS OF THE FOUNDATION.

GENERAL NOTES

- REFER TO EACH OVERALL FLOOR PLAN FOR UNIT DESIGNATION AND CORNER UNIT WINDOW LOCATION.

Project / Owner:

**Susan Street
Agricultural
Employee Housing**
11, 25, 41, 47 SUSAN ST
PALMDALE, CA 90670
APN: 117-26-09-020

**THE
PAUL DAVIS
PARTNERSHIP
ARCHITECTS & PLANNERS**

The Paul Davis Partnership, LLP
Architects & Planners
18200 LINDSEY DRIVE
MONTAUCO, CA 90640
TEL: 310.378.1333 FAX: 310.378.1332
WWW.PAULDAVISARCHITECTS.COM



Drawn By: AC
Drawing Date: 10-14-2021
Project Number: 2114

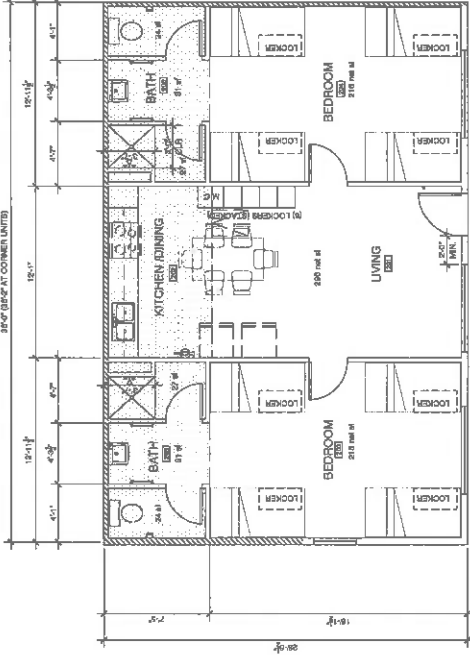
Revisions:
Revision: 10-14-2021
Planning Requisition 11-20-2021
Planning Permits/Notice of 01-20-22

ALL DIMENSIONS ARE TO FACE UNLESS INDICATED OTHERWISE.
ALL FINISHES ARE TO REMAIN UNLESS INDICATED OTHERWISE.
ALL WORK SHALL BE DONE ACCORDING TO THE 2019 CALIFORNIA BUILDING CODE, UNLESS OTHERWISE SPECIFIED.

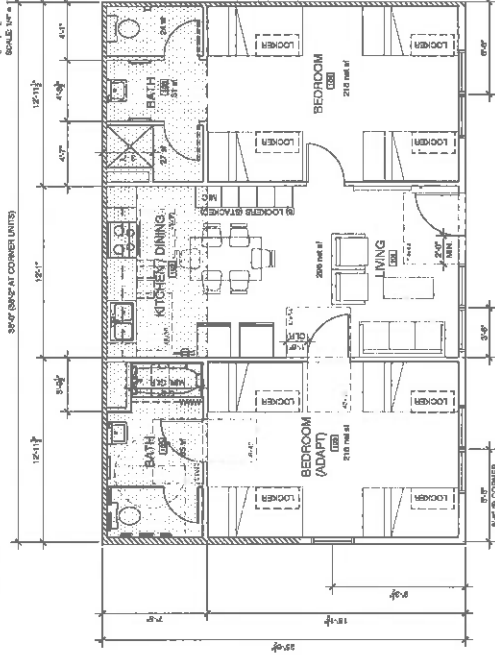
Check Date:
ENLARGED PLANS

Sheet Number:

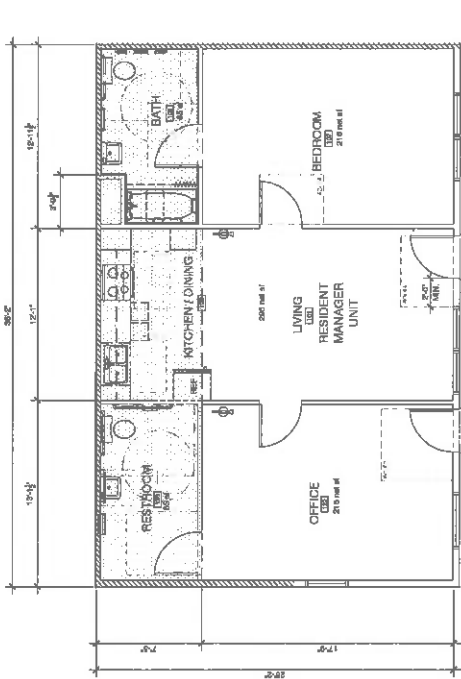
A2.4



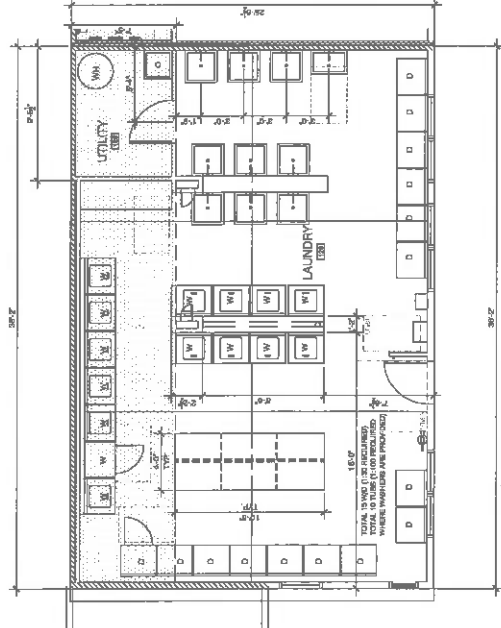
② **TYPICAL SECOND FLOOR UNIT PLAN**
SCALE: 1/8" = 1'-0"
0 1 2 3 4 5 6 7 8 9
10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25
SCALE: 1/8" = 1'-0"



① **TYPICAL FIRST FLOOR UNIT PLAN**
SCALE: 1/8" = 1'-0"
0 1 2 3 4 5 6 7 8 9
10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25
SCALE: 1/8" = 1'-0"



③ **A100 OFFICE/RES. MANAGER UNIT**
SCALE: 1/4" = 1'-0"
0 1 2 3 4 5 6 7 8 9
10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25
SCALE: 1/4" = 1'-0"



B103 D100
④ **TYP. LAUNDRY ROOM**
SCALE: 1/4" = 1'-0"
0 1 2 3 4 5 6 7 8 9
10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25
SCALE: 1/4" = 1'-0"

ALL LAUNDRY ROOMS PROVIDED FOR 500 GALLONS
OF WATER AT ALL OCCUPANCY LEVELS REFERRED
TO AS "LAUNDRY ROOMS" IN THE 2019 CALIFORNIA
BUILDING CODE - SECTION 1110.1.1.1.1.1.

Project / Owner:

Susan Street
Agricultural
Employee Housing

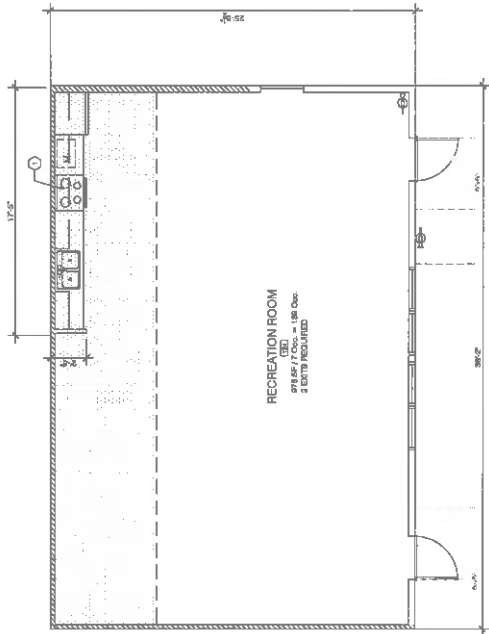
BY: B.S. & P. SUBRAMANIAM
PLANNING, CA 91671
APN: 117-081-0184-73

GENERAL NOTES

- 1. REFER TO EACH CORNER & TO FLOOR PLAN FOR LAYOUT OF DEFORMATION AND CORNER UNIT WINDOW LOCATION

SHEET NOTES

- 1. RANGES IN ROOM RANGES ONLY. RANGES WILL NOT BE INSTALLED. LOWER CABINET AND COUNTERTOP TO BE INSTALLED WHERE RANGES IS TO BE LOCATED.



C107

5 RECREATION ROOM

SCALE: 1/4" = 1'-0"

LEGEND

- 1 HR. RATED PARTY WALL
- NON-RATED WALL



THE PAUL DAVIS PARTNERSHIP ARCHITECTS & PLANNERS

The Paul Davis Partnership, LLP
3001 E. 15th Street
San Francisco, CA 94116
(415) 775-2798 Fax: (415) 374-7668
EMAIL: info@pauldavispartnership.com

Drawn By: AC
Drawing Date: 01.14.2021
Project Number: 2114

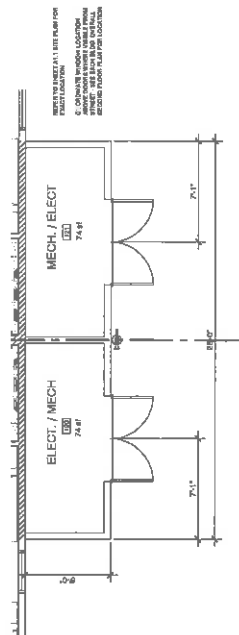
Reviewed:
Planning Submittal: 05-14-2021
Planning Re-submittal: 11-22-2021
Planning Re-submittal: 07-21-2022

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Sheet Title: ENLARGED PLANS

Sheet Number:

A2.5



6 TYP. ELECT/MECH ROOM - ALL BLDGS.

SCALE: 1/4" = 1'-0"

Project / Owner:
**Susan Street
 Agricultural
 Employee Housing**
 21, 23, 25, & 27 EUBANK ST
 PLEASANTON, CA 94566
 APRIL 11, 2023 (REVISED)

**THE PAUL DAVIS
 PARTNERSHIP
 ARCHITECTS & PLANNERS**

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 Suite 2000
 Oakland, CA 94612
 415.778.2278 FAX 415.778.2282
 paul@pauldavispartnership.com



Drawn By: AC
 Date: 10.14.2023
 Project Number: 2114

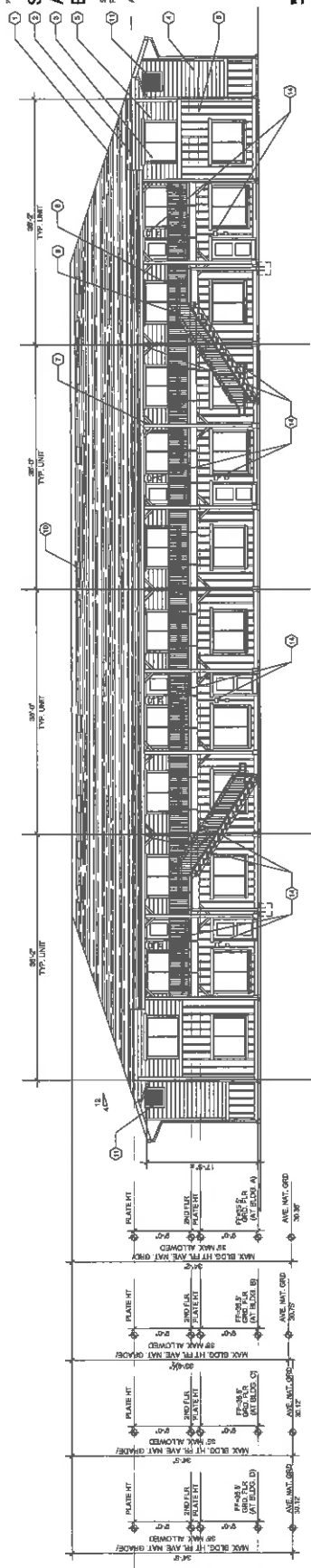
Revised:
 Revision Number: 10.14.2023
 Revision Description: Planning Re-submittal 11-29-2023
 Planning Re-submittal 07-29-2022

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**THE EXTERIOR
 ELEVATIONS**

Sheet Number:

A3.1

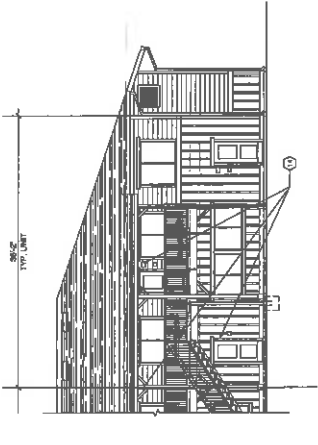


① TYPICAL FRONT ELEVATION, U.O.N.
 SCALE 1/8" = 1'-0"

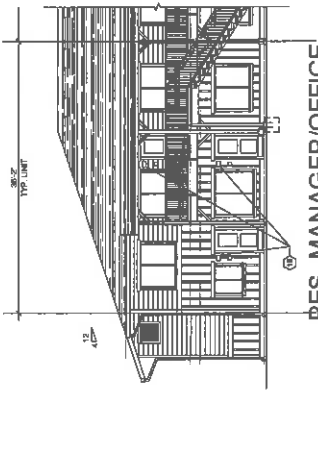
SHEET NOTES

1. ASPHALT COMPOSITION SINGLE ROOFING
2. PAINTED 2x FINGER
3. PAINTED 2x TRIM
4. 5/4" CEMENT FIBER BOARD, JAP SINO WOOD GRAIN FINISH
5. VINYL WINDOWS
6. 1x4 BOARD AND BATT @ 16" O.C. OVER CEMENT FIBER PANEL
7. PAINTED WOOD PORTICAM
8. PAINTED METAL RAILING
9. PRE CAST CONCRETE STAIR
10. LOW PROFILE ROOF VENTS
11. WALL LOUVER
12. WINDOWS @ MECH/ELECTRICAL ROOMS FRONTING THE STREET
13. BRICK VENTS & CAP
14. 6" W/AS 1/2" (NO. 1) DOWNHILL WALL BOARDS WITH TOP ANCHORED AT 6" O.A.F.F. - REFER TO ELECTRICAL PLANS FOR BOARD LOCATION.

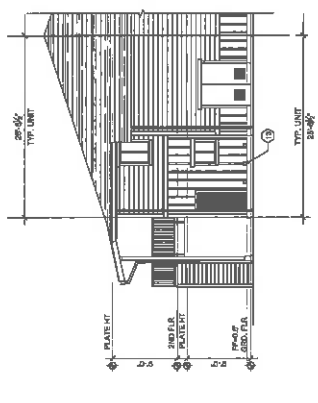
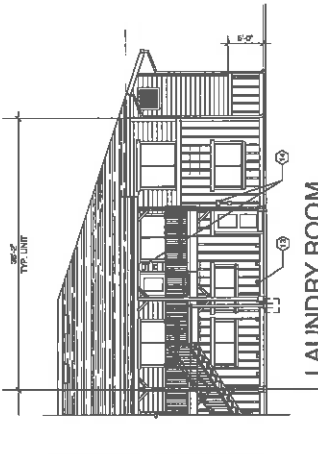
①A REC. ROOM @ BLDG. C
 FRONT ELEVATION
 SCALE 1/8" = 1'-0"



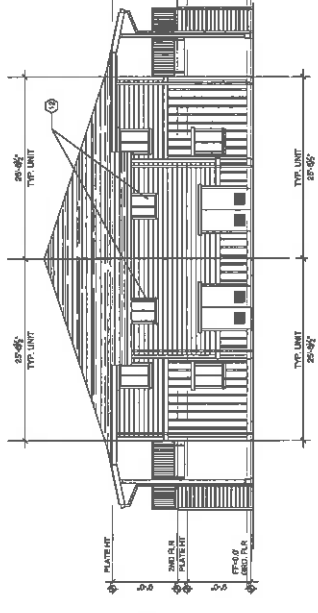
①B RES. MANAGER/OFFICE
 @ BLDG. A
 FRONT ELEVATION
 SCALE 1/8" = 1'-0"



①C LAUNDRY ROOM
 @ BLDGS. D & B-MIRROR
 FRONT ELEVATION
 SCALE 1/8" = 1'-0"



②A LAUNDRY
 @ BLDGS. D & B-MIRROR
 SIDE ELEVATION
 SCALE 1/8" = 1'-0"



② TYPICAL SIDE ELEVATION, U.O.N.
 SCALE 1/8" = 1'-0"

EXTERIOR FINISH SCHEDULE

Roof: Class A, 30-yr, High Profile asphalt shingles on Type 15 felt mem. per CBC Chapter 15. Parapets shall be finished with 2" x 4" x 1/2" extruded polystyrene insulation and approved backing supports, labels for field inspection. All low sloped roofs, metal or underlayment section as recommended by roofing manufacturer.

FLASHING: 24 GA. Galvalume Sheet Metal, paint all sides prior to installation and a second coat after installation.

WALLS: General - All a minimum, provide a minimum of one layer of No. 16 asphalt felt, 60 minute rated complying with ASTM D 226 for Type 1 felt or other approved wall flashing as described in Section 0505.3, in such a manner as to provide a continuous water-resistant barrier, backed the exterior wall, waterproofing (CBC - 1604.7)

BOARD SIDING: Board and Panel siding on Kraft weather-resistant barrier or composite rated building paper. Siding shall be installed over a minimum of 1/2" thick sheathing with a maximum 24 inches on center. Finish shall be installed over a minimum of 1/2" thick sheathing with a penetration resistance of 24 inches on center. Siding shall be installed over a minimum of 1/2" thick sheathing with a penetration resistance of 24 inches on center. Siding shall be installed over a minimum of 1/2" thick sheathing with a penetration resistance of 24 inches on center.

NOTES:

1. All exterior wall and surface gutters, downspouts, flashing, trim and exposed concrete foundations shall be painted.
2. Paint all roof joints, roof caps, dormers and eaves
3. Paint all exposed flashing.

NOTES

1. ALL EXTERIOR WALLS, CEILING, ROOFING, AND FLOORING SHALL BE FINISHED IN ACCORDANCE WITH THE LOCAL AREA AND COUNTRYSIDE OR LOCKED SO THAT ONLY THE INTERIOR AREA IS ILLUMINATED AND HAVE THE NEAREST LIGHTING ELEMENTS EXTERIOR LIGHTING SHALL BE ILLUMINATED FROM A COMMON PUBLIC VIEWING AREA AS DENIED IN SECTION 17.02.03.01.
2. THE APPLICANT SHALL SUBMIT THREE (3) COPIES OF EXTERIOR LIGHTING PLAN WHICH SHALL INDICATE THE LOCATION, TYPE, AND INTENSITY OF ALL EXTERIOR LIGHTING AND INCLUDE CANVAS SHEETS FOR EACH FUTURE.
3. THE EXTERIOR WALL CONSTRUCTION WITH THE REQUIREMENTS OF THE CALIFORNIA ENERGY CODE SET FORTH IN CALIFORNIA CODE OF REGULATIONS TITLE 24.

SHEET NOTES

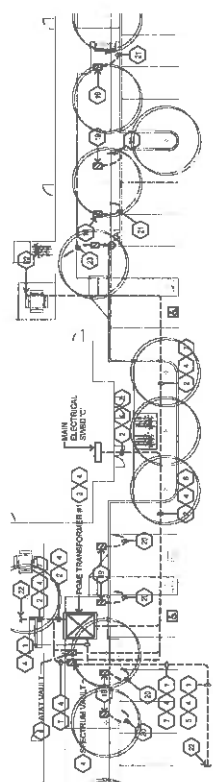
1. PANE PRIMARY. SEE SHEET 1 FOR AREA & REQUIREMENTS
2. PANE SECONDARY. SEE SHEET 1 FOR AREA & REQUIREMENTS
3. HOME TRANSFORMER. SEE SHEET 1 FOR REQUIREMENTS
4. DETAIL FOR UTILITY STANDARDS, RULES & REGULATIONS
5. 1" C.D. FOR MAIN ELECTRICAL RACK
6. 1" C.D. FOR ELECTRICAL CABINETS
7. 1" C.D. FOR ELECTRICAL CABINETS
8. 1" C.D. FOR ELECTRICAL CABINETS
9. PROVIDE AND INSTALL WITH CHESTY CONCRETE FILLER WITH 1" C.D. FOR ELECTRICAL CABINETS
10. 1" C.D. FOR ELECTRICAL CABINETS
11. CONTRACTOR SHALL PROVIDE & INSTALL WITH CHESTY CONCRETE FILLER WITH 1" C.D. FOR ELECTRICAL CABINETS
12. CONTRACTOR SHALL PROVIDE & INSTALL WITH CHESTY CONCRETE FILLER WITH 1" C.D. FOR ELECTRICAL CABINETS
13. PROVIDE AND INSTALL WITH CHESTY CONCRETE FILLER WITH 1" C.D. FOR ELECTRICAL CABINETS
14. 1" C.D. FOR ELECTRICAL CABINETS
15. CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES PRIOR TO TRENCHING AND TAKE CARE TO AVOID DAMAGE TO ANY UTILITIES. ALL TRENCHES SHALL BE 18" DEEP AND 18" WIDE. ALL TRENCHES SHALL BE BACKFILLED WITH 3/4" SAND AND COMPACTED TO 95% RELATIVE DENSITY. ALL TRENCHES SHALL BE COVERED WITH 1" THICK CONCRETE SLABS. ALL TRENCHES SHALL BE COVERED WITH 1" THICK CONCRETE SLABS.
16. ALL WIRING FOR LIFE LINES SHALL BE PER AISI MINIMUM 1/2" IN DIAMETER. ALL WIRING SHALL BE INSTALLED IN CONDUIT. ALL WIRING SHALL BE INSTALLED IN CONDUIT.
17. CONTRACTOR SHALL PROVIDE & INSTALL WITH CHESTY CONCRETE FILLER WITH 1" C.D. FOR ELECTRICAL CABINETS
18. CONTRACTOR SHALL PROVIDE & INSTALL WITH CHESTY CONCRETE FILLER WITH 1" C.D. FOR ELECTRICAL CABINETS
19. CONTRACTOR SHALL PROVIDE & INSTALL WITH CHESTY CONCRETE FILLER WITH 1" C.D. FOR ELECTRICAL CABINETS
20. CONTRACTOR SHALL PROVIDE & INSTALL WITH CHESTY CONCRETE FILLER WITH 1" C.D. FOR ELECTRICAL CABINETS
21. CONTRACTOR SHALL PROVIDE & INSTALL WITH CHESTY CONCRETE FILLER WITH 1" C.D. FOR ELECTRICAL CABINETS
22. CONTRACTOR SHALL PROVIDE & INSTALL WITH CHESTY CONCRETE FILLER WITH 1" C.D. FOR ELECTRICAL CABINETS
23. CONTRACTOR SHALL PROVIDE & INSTALL WITH CHESTY CONCRETE FILLER WITH 1" C.D. FOR ELECTRICAL CABINETS
24. CONTRACTOR SHALL PROVIDE & INSTALL WITH CHESTY CONCRETE FILLER WITH 1" C.D. FOR ELECTRICAL CABINETS
25. CONTRACTOR SHALL PROVIDE & INSTALL WITH CHESTY CONCRETE FILLER WITH 1" C.D. FOR ELECTRICAL CABINETS
26. CONTRACTOR SHALL PROVIDE & INSTALL WITH CHESTY CONCRETE FILLER WITH 1" C.D. FOR ELECTRICAL CABINETS
27. CONTRACTOR SHALL PROVIDE & INSTALL WITH CHESTY CONCRETE FILLER WITH 1" C.D. FOR ELECTRICAL CABINETS
28. CONTRACTOR SHALL PROVIDE & INSTALL WITH CHESTY CONCRETE FILLER WITH 1" C.D. FOR ELECTRICAL CABINETS

NOTES:

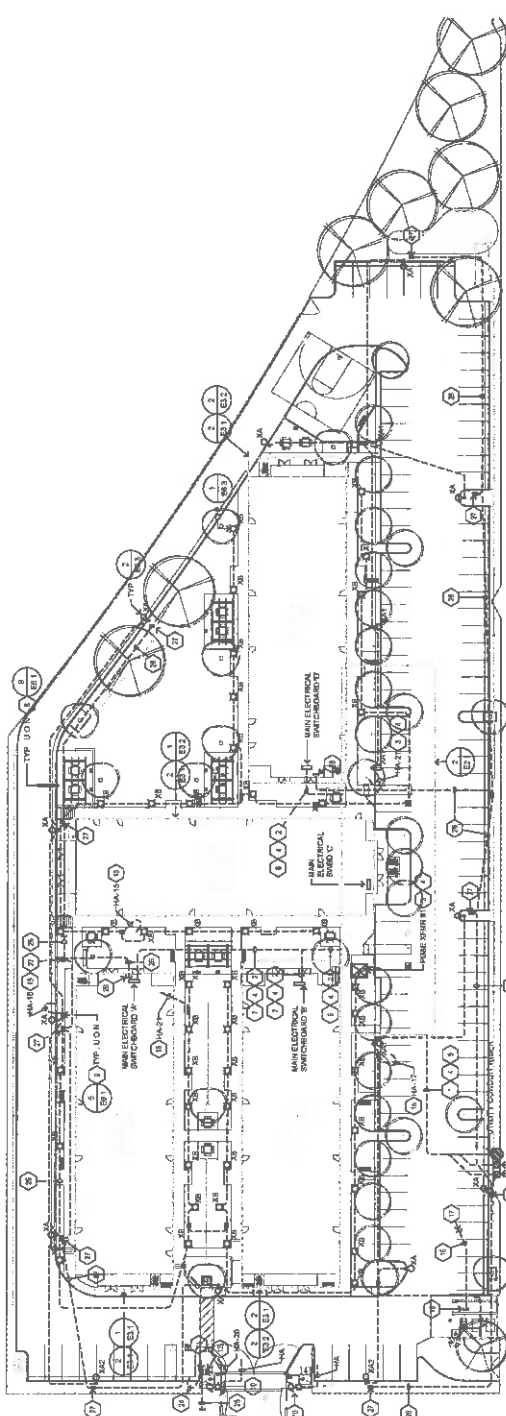
A. CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES PRIOR TO TRENCHING AND TAKE CARE TO AVOID DAMAGE TO ANY UTILITIES. ALL TRENCHES SHALL BE 18" DEEP AND 18" WIDE. ALL TRENCHES SHALL BE BACKFILLED WITH 3/4" SAND AND COMPACTED TO 95% RELATIVE DENSITY. ALL TRENCHES SHALL BE COVERED WITH 1" THICK CONCRETE SLABS. ALL TRENCHES SHALL BE COVERED WITH 1" THICK CONCRETE SLABS.

B. ALL WIRING FOR LIFE LINES SHALL BE PER AISI MINIMUM 1/2" IN DIAMETER. ALL WIRING SHALL BE INSTALLED IN CONDUIT. ALL WIRING SHALL BE INSTALLED IN CONDUIT.

C. ALL UTILITIES (PIPE, GAS, AND CABLE) SHALL BE SHOWN IN CONCRETE FILLER WITH CHESTY CONCRETE FILLER WITH 1" C.D. FOR ELECTRICAL CABINETS. ALL UTILITIES SHALL BE SHOWN IN CONCRETE FILLER WITH CHESTY CONCRETE FILLER WITH 1" C.D. FOR ELECTRICAL CABINETS.



2 PARTIAL ELECTRICAL SITE PLAN
SCALE: 1/8"=1'-0"
NORTH



1 ELECTRICAL SITE PLAN
SCALE: 1/8"=1'-0"
NORTH

Drawn By: AG
Drawing Date: 10-14-2021
Project Number: 2114

Engineer:
Planning Submittal: 10-14-2021
Planning Re-submittal: 11-03-2021
Planning Submittal: 07-07-2022

The electrical system shown on this drawing is based on the information provided by the client. The engineer is not responsible for the accuracy of the information provided by the client. The engineer is not responsible for the accuracy of the information provided by the client.



Alan M. Davis
ELECTRICAL ENGINEER
PROJECT NO. 21-1000
600 W. Franklin St. Suite 100, Palmdale, CA 91306
TEL: 818-338-4737 FAX: 818-338-4738 www.amdavis.com

Sheet Number: E2.1

Project / Owner:
Susan Street
Agricultural
Employee Housing
 1515 S. 4th Street
 PAURD, CA 95070
 APN: 11780101000

THE PAUL DAVIS PARTNERSHIP ARCHITECTS & PLANNERS
 The Paul Davis Partnership, LLP
 10000 Wilshire Blvd., Suite 1000
 Los Angeles, CA 90024
 (310) 207-7347 FAX (310) 207-2428
 paul@pauldavispartnership.com

Drawn By: AC
 Design Date: 10/14/2021
 Project Number: E114

Reviewed: Submittal: 10/14/2021
 Planning Department: 11/13/2021
 Planning Submitter: DP-41-0022

This set of plans shall be used only for the project and site described herein. It shall not be used for any other project or site without the written consent of the architect. The architect shall not be responsible for any errors or omissions on these plans, nor shall the architect be responsible for any construction methods or materials not shown on these plans.

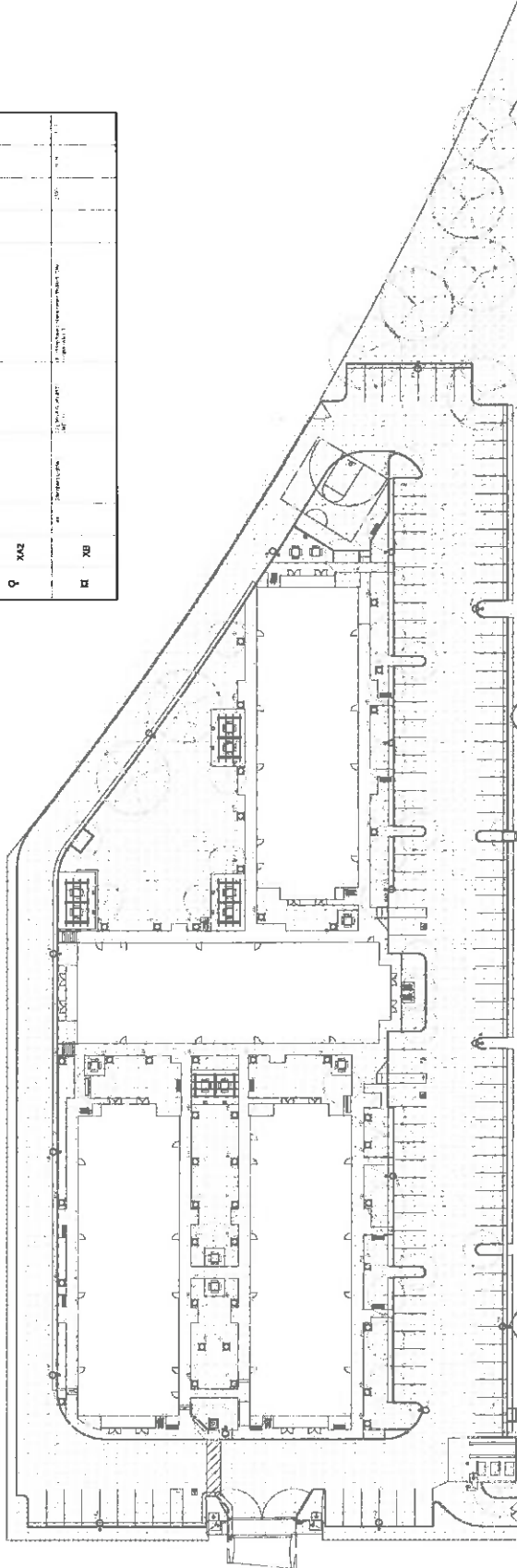
Sheet: **ELECTRICAL SITE PLAN - PHOTOMETRIC**

Sheet Number:

E2.1P

Symbol	Description	Notes
Q	XA	
Q	XA1	
Q	XA2	
Q	XB	

Symbol	Description	Notes
Q	XA	
Q	XA1	
Q	XA2	
Q	XB	



ALUCO LED LIGHTING

ALUCO LED LIGHTING is a leading manufacturer of high-quality LED lighting solutions. Our products are designed to provide long-lasting, energy-efficient illumination for a wide range of applications. We offer a variety of lighting fixtures, including recessed, surface, and track lighting, to meet your specific needs. Our commitment to quality and customer service is reflected in our products and the support we provide throughout the project lifecycle.

SOLANAXL360

SOLANAXL360 is a high-performance LED lighting fixture designed for outdoor use. It features a 360-degree beam angle, providing uniform illumination over a large area. The fixture is built with a durable, weather-resistant housing to ensure long-term performance in various outdoor environments. Its sleek design and energy-efficient LED technology make it an ideal choice for outdoor lighting applications.

VMX-II LED Specifications

VMX-II LED Specifications provide detailed technical information for the VMX-II LED lighting fixture. The table below outlines the key performance metrics and specifications for this product.

Parameter	Value
Beam Angle	360°
Power Consumption	10W
Light Output (lm)	1000
Color Temperature	4000K
Life Span (hours)	50,000

UNIVERSAL LIGHTING

UNIVERSAL LIGHTING offers a comprehensive range of lighting solutions for commercial and residential projects. Our products are known for their reliability, energy efficiency, and aesthetic appeal. We provide technical support and consultation to ensure that our lighting solutions perfectly match the requirements of your project. Our commitment to excellence is evident in the quality of our products and the service we provide.

PHOTOMETRIC DATA

PHOTOMETRIC DATA provides detailed information about the lighting distribution and performance of the fixtures. The table below shows the photometric data for the fixtures used in this project.

Fixture	Beam Angle	Light Output (lm)
ALUCO LED LIGHTING	360°	1000
SOLANAXL360	360°	1000

VEKON LIGHTING

VEKON LIGHTING is a leading manufacturer of high-quality LED lighting solutions. Our products are designed to provide long-lasting, energy-efficient illumination for a wide range of applications. We offer a variety of lighting fixtures, including recessed, surface, and track lighting, to meet your specific needs. Our commitment to quality and customer service is reflected in our products and the support we provide throughout the project lifecycle.

NEWBY CONSULTING ENGINEERS ARCHITECTS INC

NEWBY CONSULTING ENGINEERS ARCHITECTS INC provides professional engineering and architectural services. Our team of experts is dedicated to providing high-quality, innovative solutions for our clients. We have a proven track record of successful projects and a commitment to excellence in every aspect of our work. Our services include engineering, architecture, and project management, ensuring that our clients' needs are fully met.

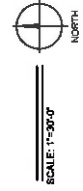
PHOTOMETRIC DATA

PHOTOMETRIC DATA provides detailed information about the lighting distribution and performance of the fixtures. The table below shows the photometric data for the fixtures used in this project.

Fixture	Beam Angle	Light Output (lm)
NEWBY CONSULTING ENGINEERS ARCHITECTS INC	360°	1000

VEKON LIGHTING

VEKON LIGHTING is a leading manufacturer of high-quality LED lighting solutions. Our products are designed to provide long-lasting, energy-efficient illumination for a wide range of applications. We offer a variety of lighting fixtures, including recessed, surface, and track lighting, to meet your specific needs. Our commitment to quality and customer service is reflected in our products and the support we provide throughout the project lifecycle.



FOR PLANNING SUBMITTAL

NEWBY CONSULTING ENGINEERS ARCHITECTS INC

Project No: 210200
 7411 68378th Street, Suite 200
 San Diego, CA 92121
 Phone: (619) 444-1111
 Fax: (619) 444-1112
 Email: info@newby.com



The Paul Davis Partnership, LLP
 1000 West Broadway, Suite 200
 Berkeley, CA 94704
 415.778.8000
 DAVIS@pdp.com PaulDavisPartnership.com



Drawn By: UB
 Drawing Date: 07.31.2022
 Project Number: 21-1050

Revised:

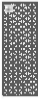
1. This plan shows the proposed fuel management plan for the project. It includes the location of all fuel storage tanks, the location of all fuel delivery vehicles, and the location of all fuel management equipment. It also shows the location of all fuel management personnel and the location of all fuel management equipment.

Sheet Number

L-1.1

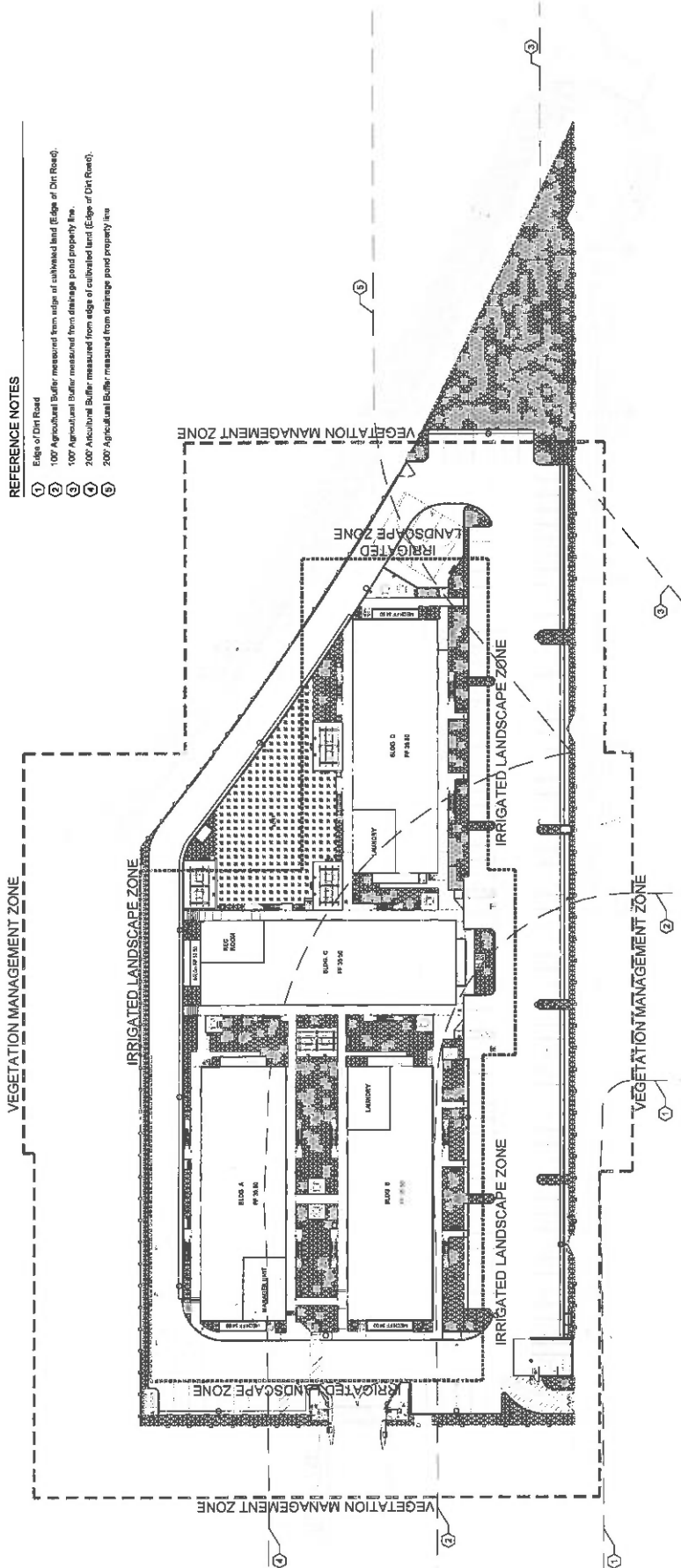
FUEL MANAGEMENT LEGEND

- Vegetation Management Zone: Vegetation shall be managed up to a minimum of 100' from structures. Zone shall be maintained around the proposed buildings. Plant material shall be trimmed regularly for fuel modification and reduction.
- Irrigated Landscape Zone: Irrigated landscapes shall be maintained up to a minimum of 30' from structures. Within this zone, remove and deep away all flammable vegetation.
- Project Irrigated Planting Areas



REFERENCE NOTES

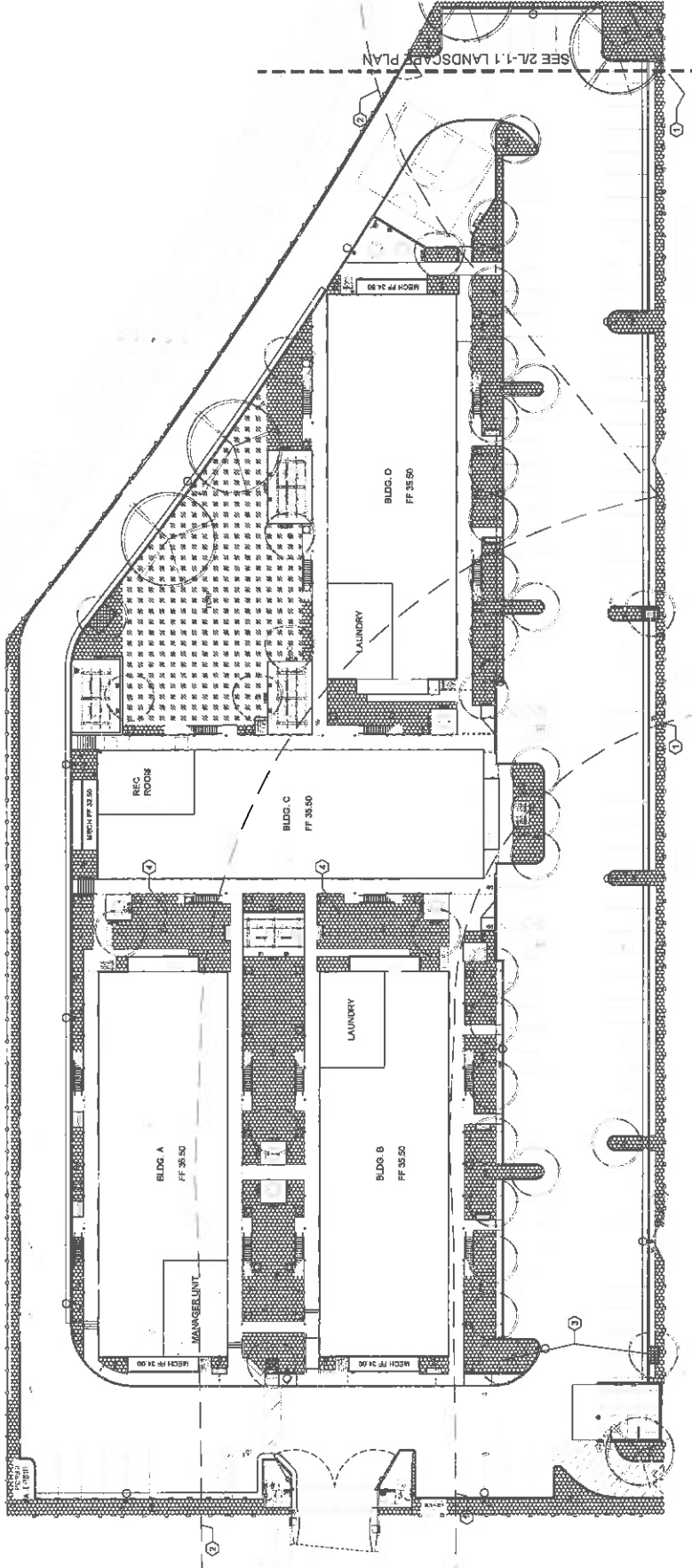
- ① Edge of Dirt Road
- ② 100' Agricultural Buffer measured from edge of cultivated land (Edge of Dirt Road)
- ③ 100' Agricultural Buffer measured from drainage pond property line
- ④ 200' Agricultural Buffer measured from edge of cultivated land (Edge of Dirt Road)
- ⑤ 200' Agricultural Buffer measured from drainage pond property line





Sheet No: _____
 Drawing Date: 07/01/2007
 Project Number: 01103

1 Landscape Plan
 1" = 20'-0"



LANDSCAPE AREA SUMMARY

- Total Landscape Planting Area: 25,145 sf (0.58 acres)
 1 Irrigated turf area: 6,268 sf
 2 Irrigated trees, shrubs, and groundcover: 23,750 sf
 3 Irrigated berberis lawn area: 1,006 sf
 4 Trees planted: 47
 * (4) Trees planted in Stabilization Tree Boxes are only to be temporarily irrigated for establishment: 124 sf

PLANT LEGEND

TREE	WUC CODE	BOTANICAL NAME	COMMON NAME	SIZE	CHARACTER (RW)
L	L	Arbutus Menziesii	Marina Strawberry Tree	15 Gal.	30% 20'
M	M	Rubus molleoides	California Ryegrass	15 Gal.	30% 30'
M	M	Pyrus callioperna 'Mascot'	Asiatic Pear	15 Gal.	35% 20'



SEE L-1.0 for LEGEND & GENERAL NOTES 20' 0' 20' 40'

L-1.2

Shrub/ Groundcover

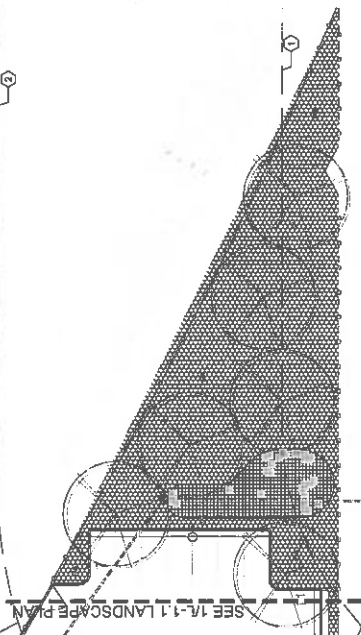
- 5 Gal. 30" o.c. *Baccharis arbuscula*
- 1 Gal. 80" o.c. *Microseris*
- 1 Gal. 30" o.c. *Fossil Agave*
- 1 Gal. 30" o.c. *Desert Hill Bush*
- 1 Gal. 30" o.c. *Parula New Zealand Flax*
- 5 Gal. 30" o.c. *Rocky Mountain*
- 5 Gal. 30" o.c. *Gravel Convolvulus*
- 5 Gal. 4" o.c. *Desert Grass*
- 5 Gal. 30" o.c. *Desert Convolvulus*

Stabilization

- 1 Gal. 30" o.c. *Yarrow*
- 1 Gal. 30" o.c. *Grey Sedge*
- 1 Gal. 2" o.c. *California Grey Rush*
- 5 Gal. 4" o.c. *Desert Grass*

REFERENCE NOTES

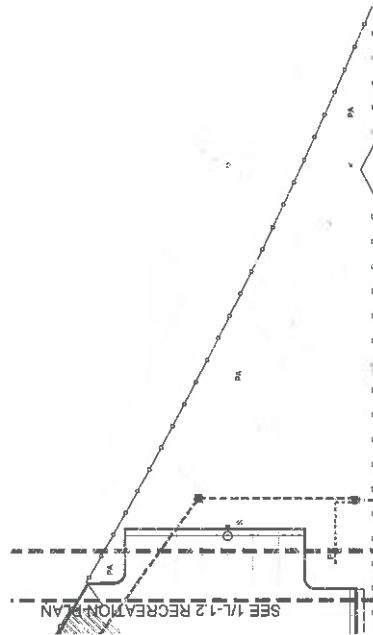
- 100' Agricultural Buffer
- 200' Agricultural Buffer
- Clearly mark trees along right side of buildings and in parking area to create neighborhood agricultural buffer.
- Open Space Gardens



2 Landscape Plan
 1" = 20'-0"



1 Recreation Plan
 1/8" = 20'-0"



2 Recreation Plan
 1/8" = 20'-0"

LEGEND

- Open Space Area
- Informal sports and recreation turf area.
- 1/4 Mile Fitness Pathway: Pavement markings, identify pathway.
- Indoor Recreation Area: Tables and chairs for table games and small events. 975 sf. Not included in Open Space Area total.
- Table and Bench seating areas.
- Paved Area: Tables, BBQ and Treils.
- Multi-use Sport Court
- Fence Type 1: Metal
- Fence Type 2: Wood

RECREATION SUMMARY

- Total Open Space Provided: 19,394 sf (0.4 acre)
- Recreational turf area for active, informal outdoor sports and recreation, 5,268 sf
 - (1) Multi-use play court (turf) for 5-pin play basketball as well as volleyball, 3,220 sf
 - Outdoor seating and shaded picnic areas with benches, picnic tables and BBQ, 3,032 sf
 - Unpaved 1/4 mile fitness pathway, 4,800 sf
 - Open space gardens, 1,206 sf



EXHIBIT B

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Miller Clinton F Jr. and Karen V Trust, aka "Miller Trust Commercial Project"

Lead Agency: County of Monterey Contact Person: Mary Israel
 Mailing Address: 1441 Schilling Place, 2nd Floor Phone: (831) 755-5025
 City: Salinas Zip: 93901 County: Monterey

Project Location: County: Monterey City/Nearest Community: Pajaro
 Cross Streets: San Juan and Susan Street Zip Code: 95076

Longitude/Latitude (degrees, minutes and seconds): 36 ° 54 ' 16.74 " N / 121 ° 44 ' 488 " W Total Acres: 29

Assessor's Parcel No.: 117-381-010, 117-381-018, 117-381-027, 117-381-028, 117-381-029, 117-381-030 Section: _____ Twp.: _____ Range: _____ Base: _____
 Within 2 Miles: State Hwy #: State Route 1 Waterways: Pajaro River
 Airports: _____ Railways: _____ Schools: Pajaro Middle School

Document Type:

CEQA: NOP Draft EIR NEPA: NOI Other: Joint Document
 Early Cons Supplement/Subsequent EIR EA Final Document
 Neg Dec (Prior SCH No.) _____ Draft EIS Other: _____
 Mit Neg Dec Other: _____ FONSI

Local Action Type:

General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other: GDP

Development Type:

Residential: Units _____ Acres _____ Transportation: Type _____
 Office: Sq.ft. _____ Acres _____ Employees _____ Mining: Mineral _____
 Commercial: Sq.ft. _____ Acres 17.16 Employees 400 Power: Type _____ MW _____
 Industrial: Sq.ft. _____ Acres _____ Employees _____ Waste Treatment: Type _____ MGD _____
 Educational: _____ Hazardous Waste: Type _____
 Recreational: _____ Other: _____
 Water Facilities: Type _____ MGD _____

Project Issues Discussed in Document:

Aesthetic/Visual Fiscal Recreation/Parks Vegetation
 Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality
 Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian
 Biological Resources Minerals Soil Erosion/Compaction/Grading Growth Inducement
 Coastal Zone Noise Solid Waste Land Use
 Drainage/Absorption Population/Housing Balance Toxic/Hazardous Cumulative Effects
 Economic/Jobs Public Services/Facilities Traffic/Circulation Other: GHG, Energy

Present Land Use/Zoning/General Plan Designation:

Heavy Commercial, Farmland/40 acre minimum

Project Description: (please use a separate page if necessary)

The proposed project includes a vesting tentative map to re-subdivide 6 existing parcels into 3 parcels and a remainder parcel consisting of Lot 1) 178,695 square foot commercial building, 20,000 square foot garden center and parking; Lot 2) well & tank lot with well & storage tank for irrigation and fire flow; Lot 3) San Juan Road right-of-way conveyance to the County of Monterey. A General Development Plan includes commercial development of the retail store with 870 parking spaces on 17.069 acres. The specific retail use has not yet been determined but, for the purposes of this report, will likely be a commercial retail store with a garden center, ATM, and café services. The proposed project is anticipated to directly create approximately 400 jobs. The project includes 10,000 cubic yards of grading and an encroachment permit from Monterey County Public Works to deepen the County Stormwater Detention Basin (Assessor's Parcel number 117-381-031-000).

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

- | | |
|--|---|
| <input type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Emergency Management Agency | <input type="checkbox"/> Parks & Recreation, Department of |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input type="checkbox"/> Caltrans District # _____ | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input checked="" type="checkbox"/> Regional WQCB # <u>3</u> |
| <input type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Resources Recycling and Recovery, Department of |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Conservation, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Education, Department of | <input checked="" type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Rights |
| <input checked="" type="checkbox"/> Fish & Game Region # <u>4</u> | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> Forestry and Fire Protection, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> General Services, Department of | <input checked="" type="checkbox"/> Other: <u>Monterey Bay Air Resources District</u> |
| <input type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Housing & Community Development | |
| <input type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date February 11, 2020 Ending Date March 12, 2020

Lead Agency (Complete if applicable):

Consulting Firm: <u>EMC Planning</u>	Applicant: <u>County of Monterey</u>
Address: <u>301 Lighthouse Avenue # C</u>	Address: <u>1441 Schilling Place, 2nd Floor</u>
City/State/Zip: <u>Monterey, CA 93940</u>	City/State/Zip: <u>Salinas, CA 93901</u>
Contact: <u>Sally Rideout</u>	Phone: <u>831-755-5025</u>
Phone: <u>831-649-1799</u>	

Signature of Lead Agency Representative:  Date: 2/7/2020

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Notice of Preparation

FILED

FEB 10 2020

STEPHEN L. VAGNINI
MONTEREY COUNTY CLERK
DEPUTY

Notice of Preparation

To: Responsible Agencies/Interested Parties From: County of Monterey RMA

 _____ (Address)

_____ 1441 Schilling Place South, 2nd Floor

 _____ Salinas, CA 93901
 _____ (Address)

Subject: Notice of Preparation of a Draft Environmental Impact Report

The County of Monterey _____ will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study (is is not) attached.

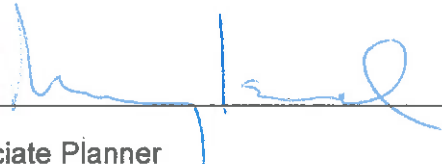
Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please send your response to Mary Israel, Associate Planner at the address shown above. We will need the name for a contact person in your agency.

Project Title: Miller Clinton F. Jr. & Karen V. Trust, "Miller Trust Commercial Project"

Project Applicant, if any: Miller Trust c/o Chuck Allen

Date February 10, 2020

Signature 

Title Associate Planner

Telephone 831-755-5025

Please see attachment and figures for project description, location, and potential environmental effects.

Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.

MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY

Carl P. Holm, AICP, Director



LAND USE & COMMUNITY DEVELOPMENT | PUBLIC WORKS & FACILITIES | PARKS
1441 Schilling Place, South 2nd Floor (831)755-4800
Salinas, California 93901-4527 www.co.monterey.ca.us/rma

Miller Trust Commercial Project EIR Notice of Preparation

PROJECT LOCATION AND SETTING

The proposed project is located at 235 San Juan Road in unincorporated Monterey County in the community of Pajaro, a census-designated place located on the south bank of the Pajaro River, approximately five miles northeast of the river mouth and Monterey Bay. The community of Pajaro is located approximately one-half mile southeast of the City of Watsonville, approximately 12 miles southeast of the community of Aptos, approximately 12.5 miles northwest from the community of Prunedale, and approximately six miles northeast of the community of Moss Landing. [Figure 1, Location Map](#), shows the regional setting of the project site.

Existing Site Conditions

The project site is comprised of Assessor's Parcel Numbers 117-381-010-000, 117-381-016-000, 117-381-027-000, 117-381-028-000, 117-381-029-000 and 117-381-030-000). The 29-acre project site has historically been used for a variety of purposes including large equipment repair and sales, a World War II-era garment factory and more recently, agriculture and agriculture-related uses. Approximately 4.6 acres of the site are developed with warehouse and storage buildings, an office, and other ancillary buildings and structures associated with the current agricultural use of the site. Structures and storage areas for the agricultural use of the site are located on the southern portion of the site adjacent to San Juan Road. Portable shade structures are present over berry crops at the southeast corner of the parcel. Access from the site to San Juan Road is provided by one driveway. The portion of the project site upon which the proposed development would occur is located within the 100-year flood plain of the Pajaro River, and development of the site is subject to compliance with minimum flood protection standards. The topography of the overall project site is relatively flat and drainage from the site flows generally southeast. Existing site conditions are presented in [Figure 2, Aerial Photograph](#).

Surrounding Land Uses

The project site is bound by the Pajaro River to the north, agricultural fields and one residence, to the east, San Juan Road, several residences and agricultural uses to the south, and an auto repair shop, residential neighborhood, and a drainage basin facility owned and operated by the Monterey County (Assessor's Parcel Number 117-381-031-000) to the west.

General Plan Land Use Designation and Zoning

The application for the proposed project was deemed complete by Monterey County staff on July 14, 2006 under the 1982 Monterey County General Plan (1982 General Plan); however, the project was put on hold due to the subsequent economic downturn. In 2019, the applicants decided to move forward with the project. The environmental impacts of the proposed project are correspondingly being evaluated under the 1982 General Plan.

The 1982 General Plan land use designations for the project site are Heavy Commercial (7.36 acres) and Farmland, 40-acre minimum (21.73 acres). The project site is located within the North County Planning Area, non-coastal zone; the 7.36-acre portion of the site is located within the Pajaro Redevelopment Project Sub-Area, as discussed in greater detail below. The site is zoned for Heavy Commercial and Farmland uses. The proposed lots, and existing general plan land use designations and zoning designations are shown in [Figure 3, Proposed Lot Configuration](#).

Implementation Plan for the Boronda and Castroville-Pajaro Redevelopment Areas (County of Monterey 2010).

The project site is within the boundary of Opportunity Area 3 identified in the *Development Support Plan - Pajaro California, Volume 1* (County of Monterey Housing and Redevelopment Agency 2003), which is a background component of the *Redevelopment Agency of the County of Monterey Implementation Plan for the Boronda and Castroville-Pajaro Redevelopment Areas* (County of Monterey 2010) (Pajaro implementation plan). The Pajaro implementation plan area was originally referred to as the Pajaro Redevelopment Area.

On February 1, 2012, the Redevelopment Agency of the County of Monterey was dissolved. The Board of Supervisors of the County of Monterey elected to serve as the Successor Agency to the former Redevelopment Agency. An Oversight Board was formed pursuant to State Law and meets from time to time to take actions as required by State Law.

The Redevelopment Agency's initial plan for the Pajaro area was adopted in 1995, the second plan was adopted in 2000, and the third plan was adopted in 2005. Although the redevelopment agency and California redevelopment law no longer exists, the Monterey County Board of Supervisors is the successor agency authorized to oversee the implementation of the Pajaro implementation plan. The Pajaro implementation plan is the County's fourth iteration of a redevelopment plan for the community covering the years 2010-2015, and is the most current

adopted plan setting forth redevelopment priorities, goals, policies, and programs for the removal of blight and other conditions in the Pajaro community.

PROJECT DESCRIPTION

The proposed project includes a General Development Plan and a vesting tentative map, commercial development, new and updated utility infrastructure, and off-site improvements.

Vesting Tentative Map

The proposed vesting tentative map would re-subdivide the 29.1-acre subject property to create two lots for use in the proposed development project, totaling 17.16 acres, a small lot in the San Juan Road right-of-way of 0.33 acres, and a remainder parcel of approximately 11.6 acres. The lots (refer to Figure 3) that would be created by the proposed vesting tentative map are as follows:

- Lot 1 (17.069 acres), to accommodate the proposed commercial portion of the project site and required parking;
- Lot 2 (0.096 acres), to accommodate a water well and tank facility to be retained for irrigation and fire flow purposes on Lot 1;
- Lot 3 (0.330 acres), which consists of land owned by the applicant upon which San Juan Road was constructed. This land would be dedicated to the County and would avoid costs to the public from acquiring the property; and
- An 11.6-acre remainder parcel (not part of the proposed commercial project).

The vesting tentative map is presented in [Figure 4, Preliminary Vesting Tentative Map](#).

General Development Plan

The General Development Plan sets forth the uses on the project site, proposed improvements, land dedications, easements, on-site circulation, provision of public services, and off-site improvements. Lot 1 would be developed with a 189,092-square foot commercial building with garden center and a 10.05-acre parking lot (total area 17.069 acres), Lot 2 consists of a well and storage tank lot for irrigation and fire flow (0.096 acres) associated with the development of Lot 1, and Lot 3 includes a San Juan Road right-of-way conveyance to the County of Monterey (0.330 acres). The 11.6-acre remainder parcel is identified on the vesting tentative map, but no development is proposed on this lot.

Grading

All buildings and paved areas at the front of the site (Lot 1) would be demolished and utility lines temporarily capped. All areas of proposed Lot 1 and Lot 2 would be graded to accommodate the proposed commercial development improvements.

Commercial Development

The proposed commercial retail development would be placed on Lot 1, with the commercial building located on the west side of Lot 1. The proposed commercial building would occupy the portion of Lot 1 that is located within the Pajaro Redevelopment Area (refer to Figure 2) and that is zoned for Heavy Commercial uses. Parking is proposed at the rear and east side of the new store building on land zoned for Farmland uses. The proposed site plan is illustrated in [Figure 5, Proposed Commercial Project Site Plan](#).

Building Siting and Screening

The long axis of the rectangular building would be oriented perpendicular to San Juan Road; the distance between the front of the building and San Juan Road would be approximately 95 feet; the distance between the west side of the building and adjoining residential properties on Susan Street would be approximately 60 feet. A landscape buffer and screen wall are proposed on the west side of the building to provide screening to the residents of the adjoining properties. The proposed building height would be 28 feet for much of the length of the building, including a roof parapet that would screen rooftop mechanical equipment. The portion of the building closest to San Juan Road would be 34 feet tall near the customer entrance. The proposed distance between the north side of the building and the Pajaro River levee is approximately 475 feet.

Conceptual Landscape Plan

Six non-native ornamental trees are proposed to be removed: two avocados, one apricot, one English walnut, one holly, and one spruce. The proposed project includes a landscaping plan that utilizes drought tolerant/resistant plantings and non-potable irrigation as a conservation measure to minimize water use. The landscape concept provides screening for the building and parking lot areas. The landscape plan includes some general notes regarding outdoor lighting luminosity, fixture height, placement, and shielding.

Access and Parking

Four vehicle entry points are proposed from San Juan Road. The primary entrance would consist of four lanes (two in and two out) near the eastern boundary of the site, and may be signalized. This entrance would also provide access to the remainder parcel to the north. A second right-turn only driveway is proposed near the midpoint of the site frontage; a transit stop with pull-through access is located between the south side of the new building and San Juan Road; emergency vehicle access driveway is provided on the west side of the building. Loading docks are located at the northeast corner of the new building near the rear of Lot 1; truck deliveries would use the four-lane access along the west side of the proposed parking lot. All access points to Lot 1 and Lot 2 would utilize San Juan Road.

The proposed project would provide 870 parking spaces, including 28 employee carpool spaces and 20 handicap-accessible spaces located near the building entrances. Parking for the commercial building would be provided in a surface parking lot on the east and north sides of the building in Lot 1. The commercial use is expected to attract about 5,000 customers per day. The General Development Plan would encourage reduced vehicle miles travelled to the project site through the following project features:

- transit stop with a pedestrian shelter between the building and San Juan Road;
- 28 employee carpool spaces to encourage employee ride-sharing;
- bicycle racks adjacent to the front of the building;
- sidewalk improvements connecting to existing sidewalks west of the project site; and
- in-store amenities, including an ATM and food service.

Utility Infrastructure

The project site has existing water and sewer lines; however, storm water drainage and fire suppression improvements will be required on the site. All new utility lines, including overhead utility lines, would be placed underground. A portion of the project will need to be annexed into Pajaro Sunny Mesa Community Services District (PSMCSD). Non-potable water for irrigation and fire flow purposes would be provided by the proposed well located on Lot 2. Lot 2 would be improved with a storage tank sufficient to meet this need and distribution lines leading to Lot 1.

Storm water would be captured from the buildings and parking lots on Lot 1 and conveyed to the existing County drainage basin, which is located north of proposed Lot 1. The depth of the basin would be increased by about four feet to create capacity sufficient to handle storm water from Lot 1. Soils excavated from the basin would be used to raise the elevation of the project site above the Federal Emergency Management Agency 100-year flood zone. Existing pipeline and access easements to the County-owned drainage basin would remain in effect with vehicle access provided via an existing farm road on the remainder parcel that would be accessible from a driveway extension near the northeast corner of Lot 1. The existing sewer line easement to the adjoining property to the east would remain in place within a proposed 30-foot wide conservation easement that runs north-south along the eastern side of the entire site.

Off-site Improvements

As discussed above, the proposed project would deepen the existing Monterey County drainage basin located to the north of proposed Lot 1 to accommodate storm water from the site. New curb cuts, sidewalks, and entry driveways, water, sewer, and storm drainage facilities, and undergrounding of overhead transmission line improvements, will be constructed along the

project frontage on San Juan Road. Streetlights would be provided along frontages consistent with the County requirements for utility infrastructure improvements in Pajaro. The proposed project includes a request to annex the proposed utility infrastructure improvements into the Pajaro Redevelopment Area utility district if it is not already within the utility district, so that undergrounding of overhead utilities along the project frontage may qualify for funding programs through Monterey County.

POTENTIAL ENVIRONMENTAL EFFECTS

The County has determined that an EIR be prepared to evaluate the direct and indirect physical environmental impacts resulting from the proposed project. Therefore, the County will prepare an EIR.

In accordance with CEQA Guidelines section 15125(d), this EIR will include identification and discussion of inconsistencies between the proposed project and the 1982 General Plan, and other specific and regional plans. The application for the proposed project was deemed complete by Monterey County staff on July 14, 2006, under the 1982 General Plan; however, the project was put on hold due to the subsequent economic downturn. In 2019, the applicants decided to move forward with the project. The EIR discussion will include a policy consistency analysis for the 1982 General Plan and the North County Area Plan (1985).

The types of probable environmental effects and the scope of analysis associated with construction and implementation of the proposed project are summarized below.

Aesthetics

The proposed project would alter the existing visual character of the project site. The project will be required to establish and achieve performance standards for light levels at the property line to determine impacts from light and glare, particularly to the nearby Pajaro River riparian area, the adjacent residential neighborhood to the west, and to traffic on San Juan Road. The applicant prepared photographic simulations and a visual impact assessment is being prepared to assess effects to visual resources. The findings of the visual impact assessment will be incorporated into the EIR discussion, which will review the existing and proposed visual character and quality of public viewsheds and the project site, identify sensitive viewer groups and the duration of exposures. This section of the EIR will identify potential impacts to visual resources and present mitigation measures to reduce identified significant impacts to a less-than-significant level.

Agriculture

The proposed project would convert Prime Farmland to an urban use. The EIR will include a review of the 1982 General Plan and the North County Area Plan for applicable policies, and will identify soil types, existing crops and water supply, and quantify the loss of Prime

Farmland using the California Department of Conservation Important Farmlands Mapping Program data. The discussion will address the conversion of Prime Farmland, and address whether the project would conflict with existing zoning for agricultural use or with a Williamson Act contract. The EIR analysis will identify potential impacts to agricultural resources and present mitigation measures as appropriate.

Air Quality

The proposed site is located in the North Central Coast Air Basin, which is under the jurisdiction of the Monterey Bay Air Resources District (air district). The proposed project would result in an increase in criteria air emissions during its operations, primarily through new vehicle trips generated by development of the project site. Emissions would also be generated during construction of the proposed project. This section of the EIR will include quantification and evaluation of project air quality impacts using Monterey County and the air district's air quality management plans and CEQA guidance documents. Modeling will be conducted using the California Emissions Estimator Model (CalEEMod) to provide an estimate of criteria air pollutant emissions based on the development type and capacity of the proposed project. Both construction and operational impacts will be addressed, and the results of the modeling will be incorporated into the EIR. The EIR discussion will also evaluate consistency of the proposed project with applicable air quality plans. This section of the EIR will identify potential impacts to air quality and present mitigation measures as appropriate.

Biological Resources

The project site is completely disturbed, either by agricultural production on the F/40-zoned parcels or by farm-related development on the Heavy Commercial-zoned parcels. Six non-native ornamental trees are proposed to be removed: two avocados, one apricot, one English walnut, one holly, and one spruce.

A reconnaissance-level biological resources field survey of the project site will be conducted in order to (1) identify the principal plant communities present; (2) evaluate the potential for special-status species and habitats, wildlife movement corridors, jurisdictional wetlands/waterways, regulated trees, and other significant biological resources to occur; and (3) identify and map any observed locations of special-status species and/or habitats. This section of the EIR will describe existing habitats and plant and animal species found in the project area, and the occurrence of and/or potential for special-status species and their habitats. Maps will be prepared illustrating habitat types and the location(s) of special-status species occurring in the project area, if necessary. The EIR analysis will identify potential impacts to biological resources and present mitigation measures as appropriate.

Cultural Resources

The project site is located within a High Archaeological Sensitivity area. A Preliminary Archaeological Reconnaissance report and Phase One Historic Assessment has been prepared for the project using Monterey County review criteria. The report and assessment concluded that there is no evidence of subsurface archaeological resources present on the site and that the historic-era buildings on the property do not meet national, state, or local criteria for significant historic resources.

The cultural resources section of the EIR will also address tribal cultural resources. The EIR analysis will identify potential impacts to cultural resources, including tribal cultural resources, and present mitigation measures as appropriate.

Energy

The three primary sources of energy consumption from the proposed project will be fuel use in vehicles traveling to and from the project site, on-site use of natural gas, and on-site use of electricity in buildings and for other ancillary uses such as lighting. Energy demand from on-site use of natural gas and electricity at buildout of the proposed project will be modeled in CalEEMod. Vehicle miles traveled (VMT) data generated through CalEEMod serves as a general proxy for the magnitude of transportation fuel consumption. The VMT associated with the proposed project will be input into the Emissions Factors (EMFAC) model to quantify the fuel demand that would result from development of the proposed project. This discussion will include an overview of the standard of review for evaluation of energy effects of the project, an overview of related state legislation and regulations, and quantification of energy demand from the proposed project. Mitigation measures that result in reduced energy consumption, if any, as well as any applicant proposed measures that reduce energy consumption will be identified in this EIR section.

Geology and Soils

A geotechnical investigation report has been prepared for the project. The conclusions of that investigative report will be incorporated into the EIR discussion of impacts related to geology and soils. Of particular concern are the presence of weak surficial clayey soils which may cause excessive settlement under the proposed building loads, and the potential for liquefaction in the proposed building area. This section of the EIR will provide a general overview of the geologic and soils conditions of the project site, utilize available information from the site-specific geological report, and identify any potential associated geologic hazards. The EIR analysis will identify potential impacts related to geology and soils and present mitigation measures as appropriate.

Greenhouse Gas Emissions

The project site is located within the jurisdiction of the Monterey Bay Air Resources District (air district). To date, the air district has not adopted CEQA guidance for analysis of greenhouse gas (GHG) effects of land use projects (e.g. numerical thresholds of significance), nor has it prepared a qualified GHG reduction plan for use/reference by local agencies. Therefore, a threshold of significance will be developed. The threshold of significance will be based on service population and will reflect the current methodology for defining a threshold of significance that considers recent CEQA case law, including the “Newhall” case. The threshold will be based on the 2030 statewide emissions reduction target of 40 percent below 1990 levels defined in SB 32, projected statewide employment and population (service population) in the proposed project buildout year, and on emissions volumes from the land use sectors included in the 1990 California GHG emissions inventory.

GHG emissions generated from project construction activities and annual project operations will be quantified using CalEEMod based on the development types and development capacity of the proposed project. Baseline GHG emissions from existing activities on the project site will also be calculated using CalEEMod. This section will compare the proposed project’s rate of emissions to the threshold of significance to determine if the proposed project would result in significant impacts from GHG emissions volumes. The EIR analysis will identify potential impacts from GHG emissions and present mitigation measures as appropriate.

Hazardous Materials and Safety

The project site may contain potentially hazardous substances related to the agricultural use of the site. This section will include a discussion of the findings of the Phase I Environmental Site Assessment prepared for the project and will identify hazards and hazardous materials that may result in significant impacts. The EIR analysis will identify potential impacts, if any, and present mitigation measures as appropriate.

Hydrology and Water Quality

The EIR will address groundwater and surface water issues. The project site is located adjacent to the Pajaro River and is within the 100-year floodplain of the river. A hydrological analysis is being prepared and the results will be incorporated into the EIR. This section of the EIR will discuss potential impacts related to water quality and waste discharges that may affect surface or groundwater quality, groundwater supply and recharge, changes to drainage or increases in impervious surfaces that may result in on and off-site flooding, erosion, additional sources of polluted runoff, exceed capacity of existing or planned drainage systems, impede or redirect flood flows, and release pollutants due to inundation of the project site during a flood event. The discussion will include an analysis of the feasibility and effects of deepening an adjacent Monterey County storm water detention basin to accommodate project-related runoff. The EIR will also include an analysis of the project’s contribution to cumulative flooding and to surface

and groundwater quality. The EIR analysis will identify potential impacts to hydrology and water quality and present mitigation measures as appropriate.

Noise

This section of the EIR will analyze noise levels that could be produced by proposed commercial uses as they may affect adjacent noise-sensitive land uses. This section will also analyze potential project-related changes in roadway traffic noise exposure along roadways near or adjacent to the project site as well as quantify noise and/or vibration levels that would likely occur during construction of the project. Noise-sensitive receptors that could be subjected to noise or vibration levels in excess of applicable noise standards or CEQA thresholds during construction will be identified. An acoustical analysis is being prepared, the results of which will be incorporated into this section of the EIR. The EIR analysis will identify potential impacts to related to noise and present mitigation measures as appropriate.

Public Services

This section of the EIR will analyze how the proposed project would affect the provision of public services, and whether new or expanded physical facilities will be necessary to serve the project. The EIR analysis will identify potential impacts and present mitigation measures as appropriate.

Transportation and Circulation

Consistent with Monterey County Code Section 21.64.250, a Facilities Trip Reduction Plan has been prepared that will be incorporated into the EIR discussion. A traffic study is being prepared to address the impacts of the development following the County of Monterey's *Guide for the Preparation of Traffic Impact Studies* (2014) and the most current version of Caltrans's *Guide for the Preparation of Traffic Impact Studies*. The traffic study will evaluate existing, background, and cumulative conditions with and without the project for the following intersections and roadway segments:

Study Intersections

1. Lincoln Street / Lake Avenue;
2. Lincoln Street / East Beach Street;
3. Lincoln Street / Riverside Drive;
4. Main Street / Freedom Boulevard (State Route 152);
5. Main Street / Lake Street (State Route 152);
6. Main Street / West Beach Street;

7. Main Street / Riverside Drive (State Route 129);
8. Riverside Drive (State Route 129) / Walker Street;
9. Porter Drive / San Juan Road;
10. Porter Drive / Salinas Road;
11. Salinas Road / San Juan Road;
12. Salinas Road / Elkhorn Road;
13. Salinas Road / Cabrillo Highway (State Route 1);
14. Elkhorn Road / Hall Road; and
15. San Miguel Canyon Road / San Juan Road.

Roadway Segments

1. Cabrillo Highway (SR 1), south of Salinas Road;
2. Salinas Road, north of Elkhorn Road;
3. Salinas Road, east of Maranatha Drive;
4. Elkhorn Road, south of Hudson Landing Road;
5. San Juan Road, west of San Miguel Canyon Road and
6. Riverside Road, east of Murphy Road.

The EIR will incorporate the findings of the traffic study and evaluate potential impacts of both short-term (construction) and operational traffic generated by the proposed project. The EIR analysis will identify potential impacts related to transportation and present mitigation measures as appropriate.

Water Service

The project site is located within the Pajaro Subarea of North Monterey County. Historically, the groundwater basin experiences overdraft and seawater intrusion. The Pajaro Valley Water Management Agency has completed three projects that work together to help reduce overdraft, retard seawater intrusion and improve and protect water quality within the entire groundwater basin. The project proposes to use potable water from Pajaro-Sunny Mesa Community Services District (PSMCS D) for the commercial building. A new on-site well will be used for fire suppression and landscape irrigation. This section of the EIR will discuss the project's water demand and compare it to regional supply capacity. A water demand estimate is being

prepared for the project to compare proposed water demand with existing and historical water demand on the project site, identify the current water supply, and groundwater conditions. The results of the water demand estimate will be incorporated into the EIR discussion. The EIR discussion will include review of the 1982 General Plan and North County Area Plan policies, and the Basin Management Plan and will identify potential impacts (beneficial or adverse). Mitigation measures will be presented as appropriate.

Wastewater Service

The project proposes to connect to the public sewer provided by PSMCSD for sewer collection and the City of Watsonville Wastewater Treatment Plant for sewage treatment and disposal. A portion of the project will need to be annexed into PSMCSD. This section of the EIR will address the volume of wastewater expected to be generated by the proposed project, the capacity of the existing and/or proposed lines, and the capacity of the wastewater treatment plant and its ability to adequately serve the project. The EIR analysis will identify potential impacts to related to wastewater service and present mitigation measures as appropriate.

Other Issues

Other issues not anticipated to potentially result in significant impacts will be briefly discussed in this section of the EIR.

Cumulative Impacts

As recommended by CEQA Guidelines section 15130 (b)(1)(B), the EIR will include a summary of projections contained in the 1982 General Plan and may include buildout of the Watsonville General Plan to form the cumulative projects scenario (i.e. buildout of the general plan). The primary focus of cumulative impacts will be on farmland conversion, flooding, traffic, and water supply. Air quality and greenhouse gas emissions cumulative impacts will be assessed, in accordance with air district guidance. The EIR will include an evaluation and determination as to whether the proposed project's impacts are cumulatively considerable.

Growth-Inducement

As required by the CEQA Guidelines the EIR will discuss the proposed project's potential for growth-inducing impacts.

Significant and Unavoidable Effects

Any impacts determined to be significant and unavoidable, as discussed in other sections of the EIR, will be summarized in this section of the EIR.

Alternatives

In accordance with CEQA Guidelines, the EIR will include analysis of a reasonable range of alternatives to the proposed project, or to the location of the project, which could feasibly attain

most of the basic objectives of the project while avoiding or substantially lessening any of the significant adverse environmental effects of the project. An evaluation of the comparative merits of the alternatives will be presented in the EIR.

PUBLIC SCOPING

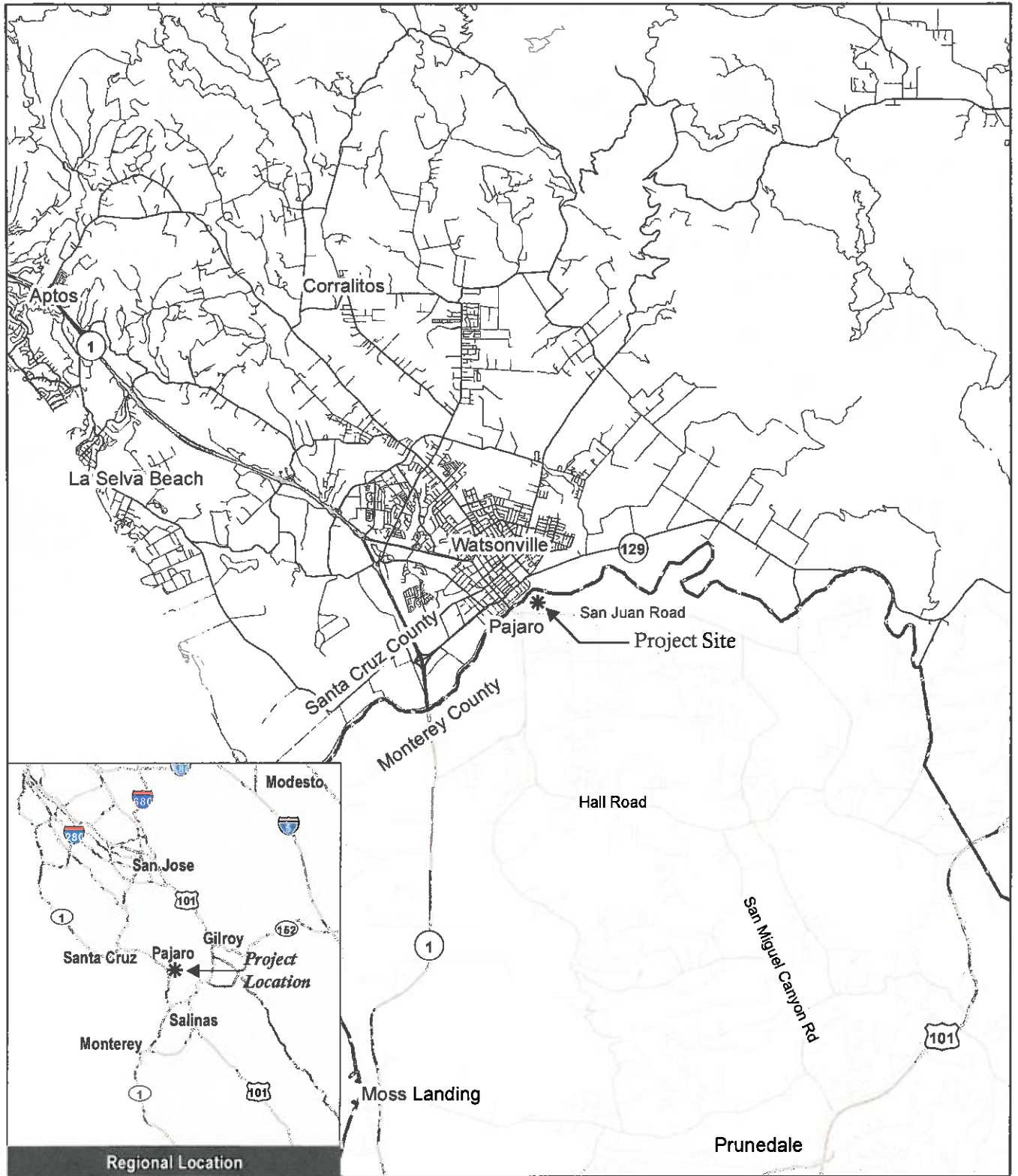
During the 30-day comment period, the County will hold a public scoping meeting on February 20, 2020 from 4 p.m. to 6 p.m. at Our Lady of the Assumption Church, 100 Salinas Road, Pajaro. The purpose of this meeting is to obtain comments from interested public agencies, interested members of the public and other organizations on the scope of the environmental issues to be addressed in the EIR.

ENVIRONMENTAL REVIEW PROCESS

Following completion of the 30-day Notice of Preparation public review period, the County of Monterey will incorporate relevant information into the Draft EIR, including results of technical studies. The Draft EIR will be circulated for public review and comment for the required 45-day public review period. All individuals and organizations that have requested notification, in writing, will be placed on a Notice of Availability list for the Draft EIR. In addition, the Draft EIR and related materials will be available for review on the County's website:

<https://www.co.monterey.ca.us/government/departments-i-z/resource-management-agency-rma-/planning/current-major-projects>, at the Monterey County Free Library Pajaro Branch, 29 Bishop Street, Pajaro, and at the County of Monterey Resource Management Agency located at 1441 Schilling Pl, 2nd Floor, Salinas, CA, and County Clerk, located at the County Government Center at 168 West Alisal Street in Salinas. Following receipt of all written comments on the Draft EIR, the County of Monterey will prepare Responses to Comments as part of the Final EIR, which will be considered and acted upon by the Planning Commission. The County of Monterey will provide notification of future public meetings for this project to individuals that have requested to be included on the project interest list.

Should you have any questions or comments regarding this Notice of Preparation, please contact Mary Israel, Associate Planner, at 831-755-5025 or IsraelM@co.monterey.ca.us.



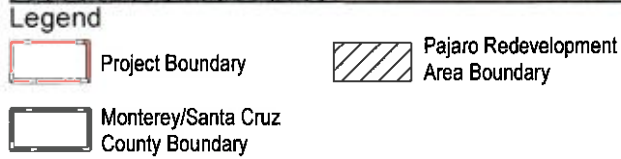
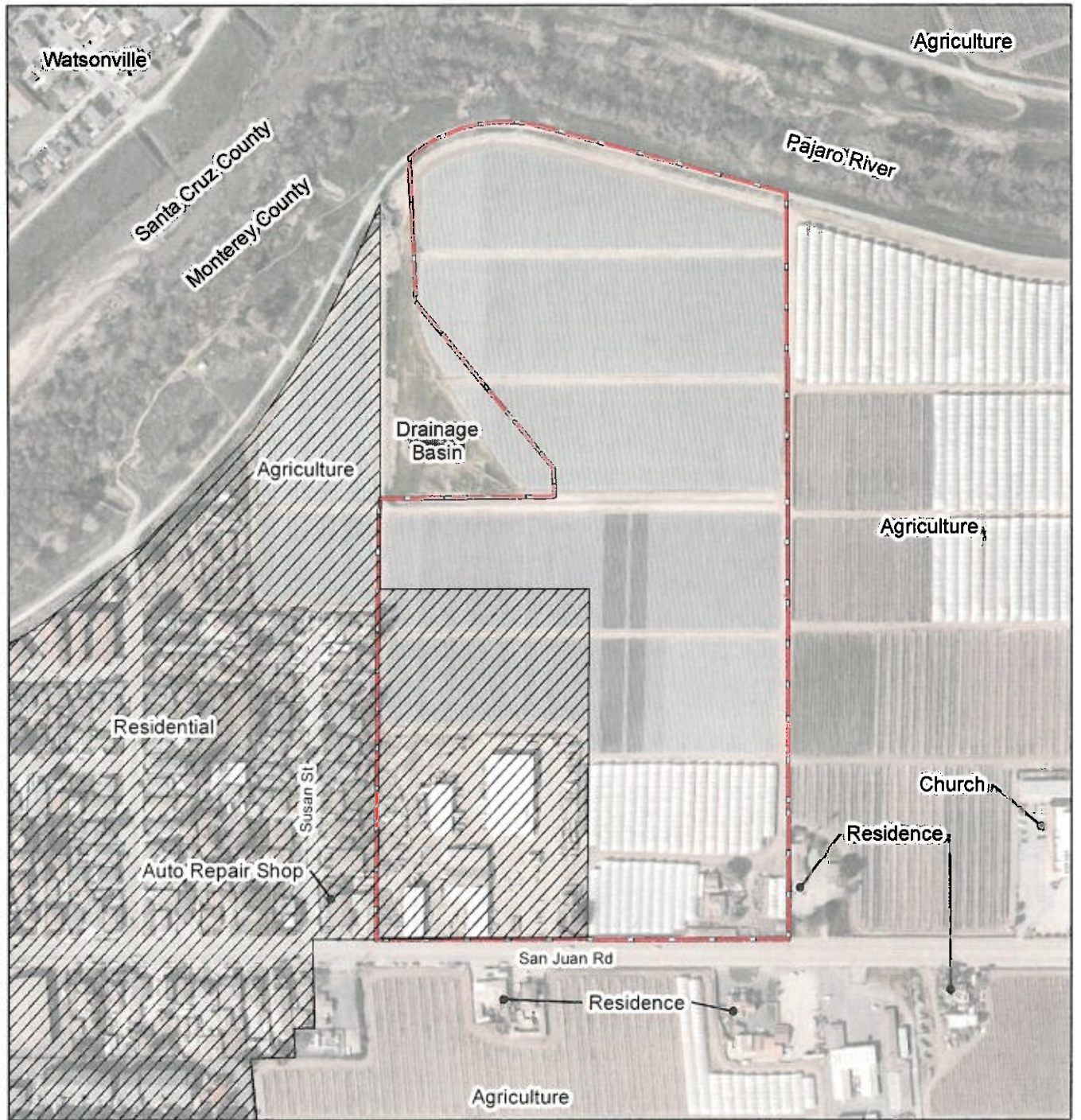
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Monterey/Santa Cruz County Boundary

Source: ESRI 2019



Figure 1
Location Map



Source: Monterey County GIS 2018, ESRI 2019

Figure 2
Aerial Photograph



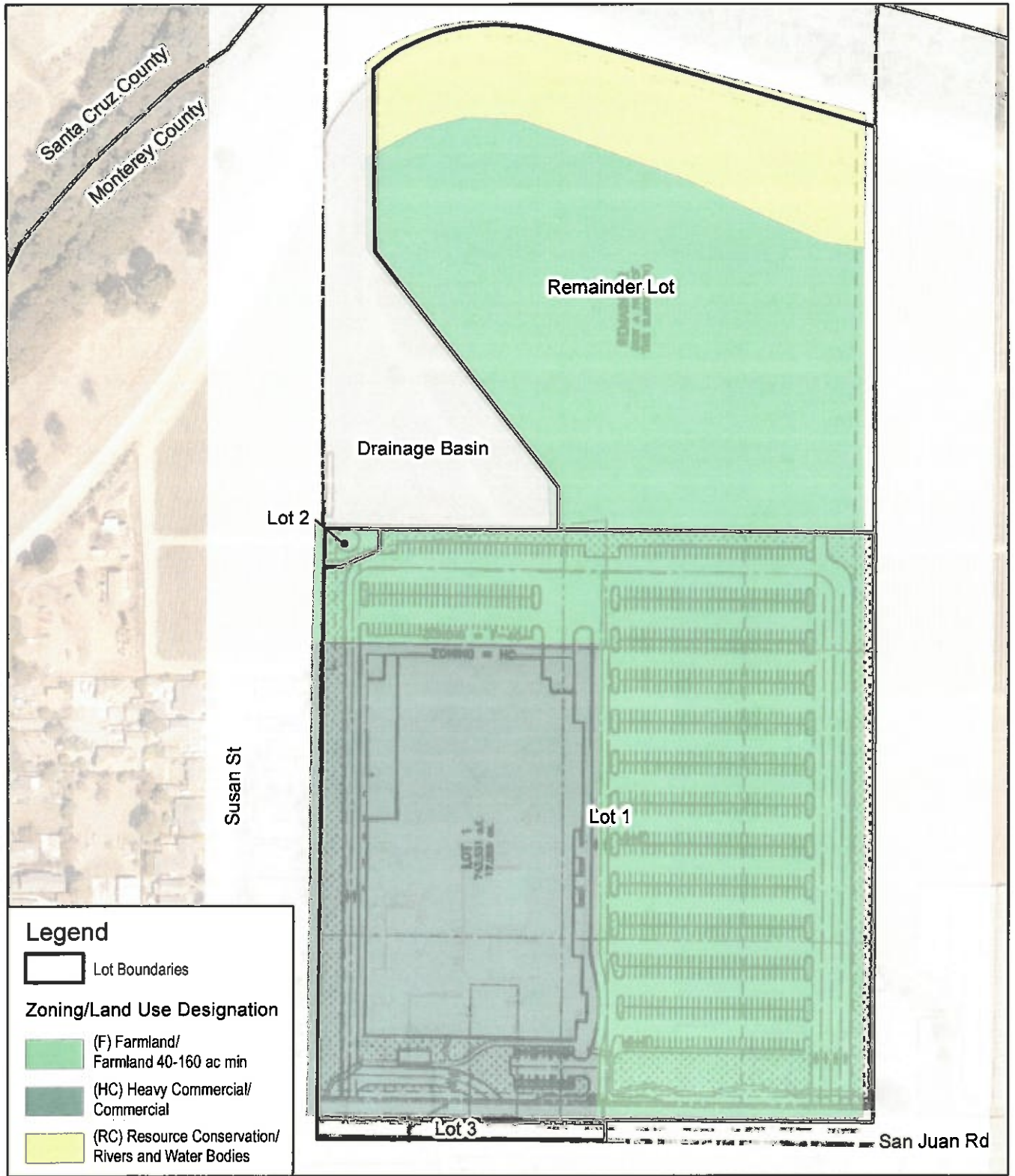
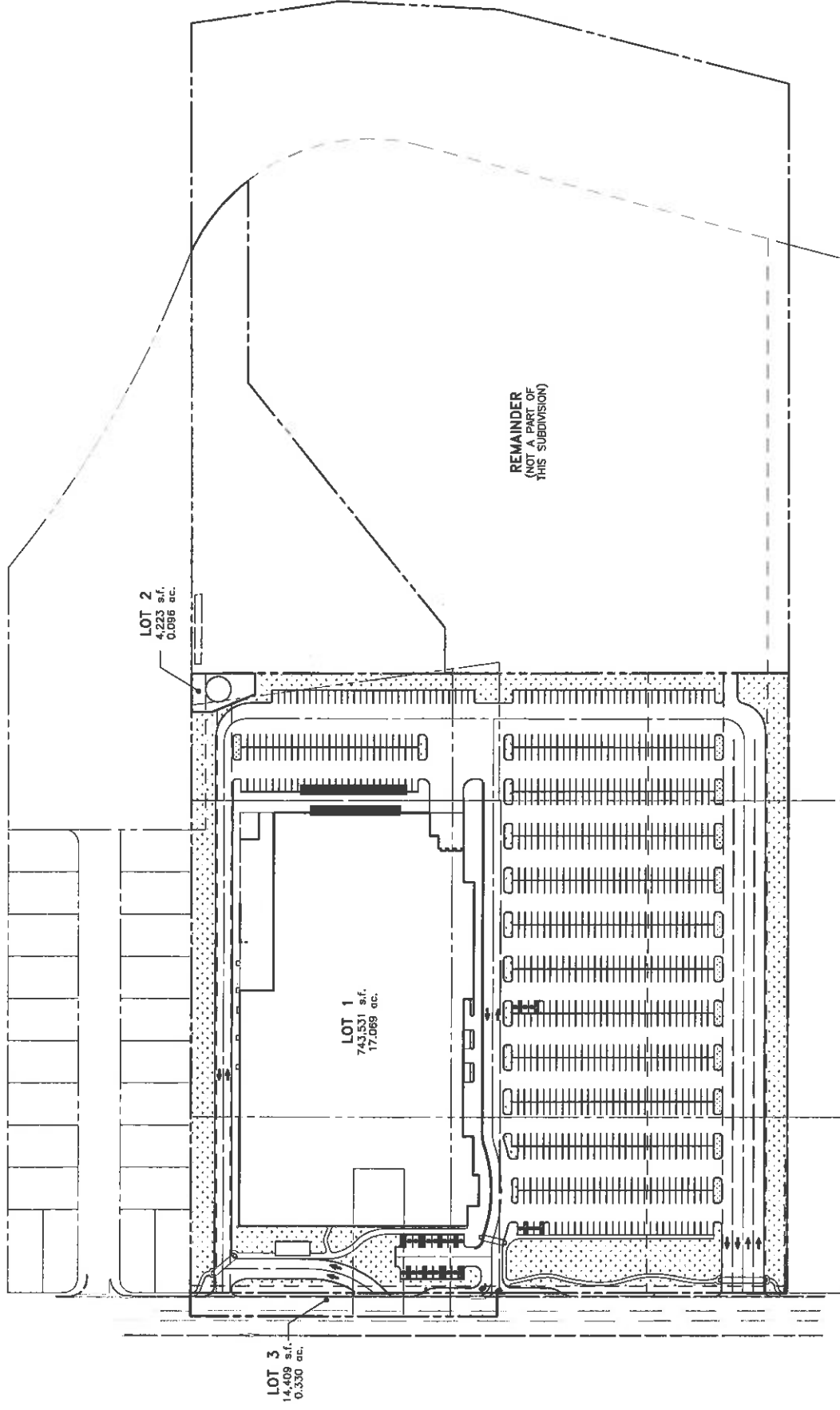


Figure 3

Proposed Lot Configuration

Miller Trust Commercial EIR Notice of Preparation



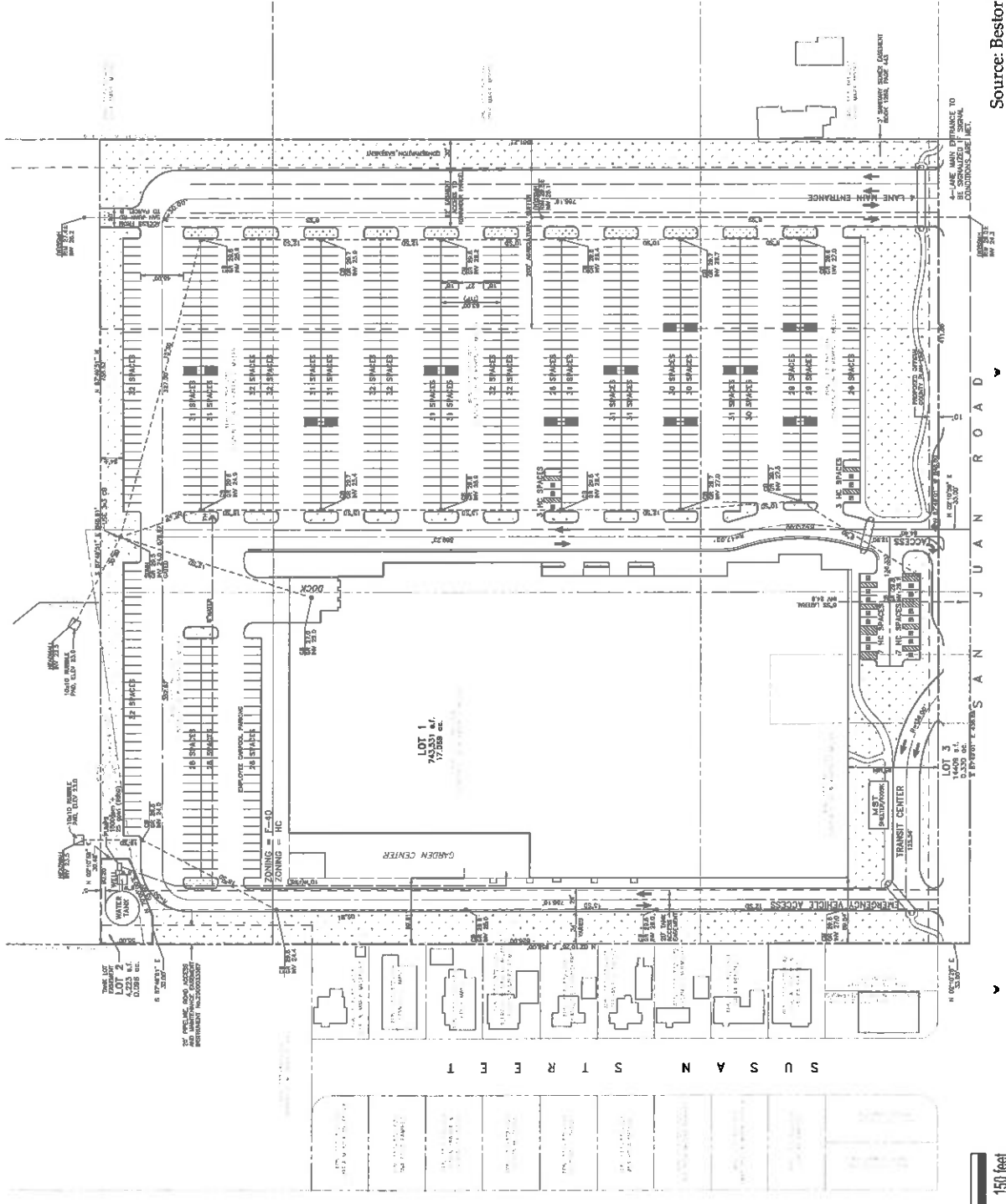


Source: Bestor Engineers, Inc. 2006

Figure 4
Preliminary Vesting Tentative Map

Miller Trust Commercial EIR Notice of Preparation





Source: Bestor Engineers, Inc. 2006

Figure 5
Proposed Commercial Project Site Plan
 Miller Trust Commercial EIR Notice of Preparation



MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY

Carl P. Holm, AICP, Director



LAND USE & COMMUNITY DEVELOPMENT | PUBLIC WORKS & FACILITIES | PARKS
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Proyecto Comercial Miller Trust: Aviso de preparación de un Informe de Impacto Ambiental (EIR)

UBICACIÓN Y AMBITO DEL PROYECTO

El proyecto propuesto está ubicado en el 235 San Juan Road en una parte del Condado de Monterey no incorporado, en la comunidad de Pájaro, un lugar designado por el censo con ubicación en la orilla sur del Río Pájaro, aproximadamente a cinco millas al noreste de la desembocadura del río y la Bahía de Monterey. La comunidad de Pájaro está ubicada aproximadamente a media milla al sureste de la ciudad de Watsonville, aproximadamente a 12 millas al sureste de la comunidad de Aptos, aproximadamente a 12.5 millas al noroeste de la comunidad de Prunedale y aproximadamente a seis millas al noreste de la comunidad de Moss Landing. La Figura 1, Mapa de Ubicación, muestra la configuración regional del sitio del proyecto.

Condiciones existentes del sitio

El sitio del proyecto está compuesto por los números de parcela del asesor 117-381-010-000, 117-381-016-000, 117-381-027-000, 117-381-028-000, 117-381-029-000 y 117-381-030-000. El sitio del proyecto está compuesto de 29 acres que se ha utilizado históricamente para una variedad de propósitos, incluyendo la reparación y venta de maquinaria grande, una fábrica de prendas de vestir de la Segunda Guerra Mundial y, más recientemente, usos relacionados con la agricultura. Aproximadamente 4.6 acres del sitio están desarrollados con edificios de almacén y bodegas, una oficina y otros edificios y estructuras auxiliares asociados con el uso agrícola que también se encuentra en este sitio. Las estructuras y áreas de almacenamiento para el uso agrícola están ubicadas en la parte sur del sitio adyacente a San Juan Road. Las estructuras de sombra portátiles están presentes sobre los cultivos de moras en la esquina sureste de la parcela. El acceso a San Juan Road es proporcionado por un camino de entrada (driveway). La parte del sitio del proyecto sobre el cual ocurriría el desarrollo se encuentra en la llanura de inundación de 100 años del Río Pájaro, y el desarrollo del sitio está sujeto al cumplimiento de los estándares mínimos de protección contra inundaciones. La topografía del sitio general del proyecto es relativamente plana y el drenaje del sitio fluye generalmente hacia el sureste. Las condiciones existentes del sitio se presentan en la Figura 2, Fotografía aérea.

Usos del terreno alrededor

El sitio del proyecto está limitado por el Río Pájaro al norte, campos agrícolas y una residencia, al este, San Juan Road, varias residencias y usos agrícolas al sur, y un taller de reparación de automóviles, vecindario residencial y una instalación de cuenca de drenaje propiedad y operado por el condado de Monterey (número de parcela del asesor 117-381-031-000) hacia el oeste.

Plan general Designación y zonificación del uso del suelo

La solicitud para el proyecto propuesto fue considerada completa por el personal del Condado de Monterey el 14 de Julio del 2006 bajo el Plan General del Condado de Monterey de 1982 (Plan General de 1982); sin embargo, el proyecto se suspendió posteriormente debido a la recesión económica. En 2019, los solicitantes decidieron seguir adelante con el proyecto. Los impactos ambientales del proyecto propuesto están siendo evaluados de conformidad con el Plan General de 1982.

Las designaciones de uso de la tierra del Plan General de 1982 para el sitio del proyecto son Comercio Intenso (Heavy Comercial - 7.36 acres) y Tierras Agrícolas mínimo de 40 acres (Farmland/40 acre minimum - 21.73 acres). El sitio del proyecto está ubicado dentro del Área de Planificación del Condado Norte, zona no costera; la porción de 7.36 acres del sitio está ubicada dentro de la Subárea del Proyecto de Reurbanización de Pájaro, como se explica en mayor detalle a continuación.

El sitio está dividido en zonas para usos comerciales y agrícolas intensivos. Los lotes propuestos y las designaciones de uso del suelo del plan general existente y las designaciones de zonificación se muestran en la Figura 3, Configuración de lote propuesta.

Plan de implementación para las áreas de reurbanización de Boronda y Castroville-Pájaro (Condado de Monterey 2010).

El sitio está en dentro del límite del Área de Oportunidad 3 identificada en el Plan de Apoyo al Desarrollo - Pajaro California, Volumen 1 (Agencia de Vivienda y Reurbanización del Condado de Monterey 2003), que es un componente de fondo de la Agencia de Reurbanización del Plan de Implementación del Condado de Monterey para las áreas de reurbanización de Boronda y Castroville-Pájaro (Condado de Monterey 2010) (plan de implementación de Pájaro). El área del plan de implementación de Pajaro se conocía originalmente como el Área de Reurbanización de Pajaro.

El 1 de Febrero del 2012 se disolvió la Agencia de Reurbanización del Condado de Monterey. La Junta de Supervisores del Condado de Monterey eligió servir como la Agencia Sucesora de la antigua Agencia de Reurbanización. Se formó una Junta de Supervisión de conformidad con la Ley del Estado y se reúne periódicamente para tomar las acciones requeridas por la Ley del Estado.

El plan inicial de la Agencia de Reurbanización para el área de Pájaro se adoptó en 1995, el segundo plan se adoptó en 2000 y el tercer plan se adoptó en 2005. Aunque la agencia de reurbanización y la ley de reurbanización de California ya no existen, la Junta de Supervisores del Condado de Monterey está la agencia sucesora autorizada para supervisar la implementación del plan de implementación de Pajaro. El plan de implementación de Pajaro es la cuarta versión del condado de un plan de reurbanización para la comunidad que cubre los años 2010-2015, y es el plan adoptado más actual que establece prioridades, metas, políticas y programas de reurbanización para la eliminación de la plaga y otras condiciones en la comunidad de Pajaro.

DESCRIPCIÓN DEL PROYECTO

El proyecto propuesto incluye un Plan de Desarrollo General (General Development Plan), una subdivisión de terreno con un mapa tentativo (Vesting Tentative Map) de adquisición, desarrollo comercial, infraestructura de servicios nuevos y actualizados y mejoras fuera del sitio.

Subdivision de Terreno con un Mapa Tentativo de Adquisición

El mapa tentativo de adquisición propuesto volvería a subdividir la propiedad en cuestión de 29.1 acres para crear dos lotes para usar en el proyecto de desarrollo propuesto, con un total de 17.16 acres, un pequeño lote en el derecho de vía de San Juan Road de 0.33 acres, y una parcela

restante de aproximadamente 11.6 acres. Los lotes (consulte la Figura 3) que crearía el mapa tentativo de adquisición propuesto son los siguientes:

- Lote 1 (17.069 acres), para acomodar la parte comercial propuesta del sitio del Proyecto y el estacionamiento requerido;
- Lote 2 (0.096 acres), para acomodar un pozo de agua y una instalación de tanques para retener el riego y flujo de incendios en el Lote 1;
- Lote 3 (0.330 acres), que consiste en un terreno propiedad del solicitante sobre el cual se construyó San Juan Road. Esta tierra estaría dedicada al Condado y evitaría costos para el público de adquirir la propiedad; y
- Una parcela restante (Remainder Parcel) de 11.6 acres (no es parte del Proyecto comercial propuesto).

El mapa tentativo se presenta en la **Figura 4, Mapa provisional**

Plan de desarrollo general

El Plan General de Desarrollo establece los usos en el sitio del proyecto, las mejoras propuestas, la dedicación de tierras, el derecho de acceso a la propiedad (easements), la circulación en el sitio, la provisión de servicios públicos y las mejoras fuera del sitio. El lote 1 se desarrollaría con un edificio comercial de 189,092 pies cuadrados con centro de jardinería y un estacionamiento de 10.05 acres (área total 17.069 acres), el lote 2 consiste en un pozo y un tanque de almacenamiento para riego y flujo de incendios (0.096 acres) asociado con el desarrollo del Lote 1, y el Lote 3 incluye un transporte de derecho de vía de San Juan Road al Condado de Monterey (0.330 acres). La parcela restante de 11.6 acres se identifica en el mapa tentativo de adquisición, pero no se propone ningún desarrollo en este lote.

Excavación o Movimiento de Tierra (Grading) Todos los edificios y áreas pavimentadas en el frente del sitio (Lote 1) serían demolidos y las líneas de servicios públicos temporalmente limitadas. Todas las áreas de los lotes 1 y 2 propuestos se calificarían para acomodar las mejoras de desarrollo comercial propuestas.

Desarrollo comercial

El desarrollo comercial propuesto se ubicaría en el Lote 1, con el edificio comercial ubicado en el lado oeste del Lote 1. El edificio comercial propuesto ocuparía la porción del Lote 1 que se encuentra dentro del Área de Reurbanización de Pájaro (consulte la Figura 2) y eso se divide en zonas para usos comerciales intensos. Se propone estacionar en la parte trasera y este del edificio de la nueva tienda en terrenos divididos en zonas para usos agrícolas. El plan de sitio propuesto se ilustra en la Figura 5, Proyecto de Plan de Sitio del Proyecto Comercial.

Emplazamiento y blindaje de edificios

El eje largo del edificio rectangular estaría orientado perpendicularmente a San Juan Road; la distancia entre el frente del edificio y San Juan Road sería de aproximadamente 95 pies; La distancia entre el lado oeste del edificio y las propiedades residenciales contiguas en la calle Susan sería de aproximadamente 60 pies. Se propone una barrera de protección del paisaje (landscape buffer) y una pared de blindaje en el lado oeste del edificio para proporcionar blindaje a los residentes de las propiedades adyacentes. La altura propuesta del edificio sería de 28 pies para gran parte de la longitud del edificio, incluido un parapeto de techo que protegería los equipos mecánicos de la azotea. La parte del edificio más cercana a San Juan Road tendría 34 pies de alto cerca de la entrada del cliente. La distancia propuesta entre el lado norte del edificio y el dique del río Pájaro es de aproximadamente 475 pies.

Plan conceptual del paisaje (Landscaping Plan)

Se propone eliminar seis árboles ornamentales no nativos que incluyen: dos aguacates, un chabacano, un nogal inglés, un acebo y un abeto. El proyecto propuesto incluye un plan de paisajismo que utiliza plantaciones tolerantes y resistentes a la sequía y usar el método de riego no potable como medida de conservación para minimizar el uso del agua. El concepto de paisaje proporciona un blindaje para las áreas de construcción y el estacionamiento. El plan de paisaje incluye algunas notas generales sobre la luminosidad de la iluminación exterior, la altura de los postes de luz, la ubicación y el blindaje.

Acceso y estacionamiento

Se proponen cuatro puntos de entrada de vehículos desde San Juan Road. La entrada principal consistiría en cuatro carriles (dos de entrada y dos de salida) cerca del límite este del sitio, y puede ser señalizada. Esta entrada también proporcionaría acceso a la parcela restante al norte. Se propone un segundo camino de entrada solo a la derecha cerca del punto medio de la fachada del sitio; una parada de tránsito con acceso de entrada y salida está ubicada entre el lado sur del nuevo edificio y San Juan Road; El acceso de emergencia para vehículos se proporciona en el lado oeste del edificio. Los muelles de carga se encuentran en la esquina noreste del nuevo edificio cerca de la parte trasera del lote 1; las entregas de camiones usarían el acceso de cuatro carriles a lo largo del lado oeste del estacionamiento propuesto. Todos los puntos de acceso al Lote 1 y al Lote 2 utilizarían San Juan Road.

El proyecto propuesto proporcionaría 870 espacios de estacionamiento, incluidos 28 espacios de uso compartido para empleados y 20 espacios accesibles para discapacitados ubicados cerca de las entradas del edificio. El estacionamiento para el edificio comercial se proporcionaría en un estacionamiento de superficie en los lados este y norte del edificio en el Lote 1. Se espera que el uso comercial atraiga a unos 5,000 clientes por día. El Plan General de Desarrollo alentaría la reducción de millas recorridas en vehículos al sitio del proyecto a través de las siguientes características del proyecto:

- parada de tránsito con un refugio para peatones entre el edificio y San Juan Road;
- 28 espacios de viaje compartido para empleados para alentar a los empleados a compartir viajes;
- bastidores de bicicletas adyacentes al frente del edificio;
- mejoras en las aceras que se conectan a las aceras existentes al oeste del sitio del Proyecto;
- y
- Servicios en la tienda, incluido un cajero automático y servicio de comida.

Infraestructura de servicios públicos

El sitio del Proyecto tiene líneas existentes de agua y alcantarillado; sin embargo, se requerirán mejoras en el drenaje de aguas pluviales y la supresión de incendios en el sitio del Proyecto. Todas las nuevas líneas de servicios públicos, incluidas las líneas aéreas de servicios públicos, se colocarían bajo tierra. Una parte del proyecto deberá anexarse a El Distrito de Servicios Comunitarios Pajaro “Sunny Mesa” (Pajaro Sunny Mesa Community Services District, PSMCSD). El pozo propuesto ubicado en el Lote 2 proporcionaría agua no potable para riego y flujo de incendios. Lote 2 se mejoraría con un tanque de almacenamiento suficiente para satisfacer esta necesidad y líneas de distribución que conducen al Lote 1. Las aguas pluviales se capturarían de los edificios y estacionamientos en el Lote 1 y se transportarían a la cuenca de drenaje existente del Condado, que se encuentra al norte del Lote 1 propuesto. La profundidad de la cuenca se incrementaría en aproximadamente cuatro pies para crear una capacidad suficiente para manejar aguas pluviales del Lote 1. Los suelos excavados de la cuenca se utilizarían para elevar la elevación del sitio del Proyecto sobre la zona de inundación de 100 años de la Agencia Federal para el Manejo de Emergencias. La tubería existente y los derechos de acceso a la cuenca de drenaje propiedad del Condado permanecerían en vigencia con

el acceso de vehículos provisto a través de una carretera agrícola existente en la parcela restante que sería accesible desde una extensión de entrada cerca de la esquina noreste del lote 1. El derecho existente de la línea de alcantarillado a la propiedad contigua al este permanecería en su lugar dentro de un derecho de conservación propuesta de 30 pies de ancho que corre de norte a sur a lo largo del lado este de todo el sitio.

Mejoras fuera del sitio

Como se explicó anteriormente, el Proyecto propuesto profundizaría la cuenca de drenaje existente del Condado de Monterey ubicada al norte del Lote 1 propuesto para acomodar las aguas pluviales del sitio. Se construirán nuevos cortes de acera, aceras y entradas de vehículos, instalaciones de drenaje de agua, alcantarillado y tormentas y subterráneos de mejoras en la línea de transmisión aérea, a lo largo de la fachada del Proyecto en San Juan Road. Se proporcionarían farolas a lo largo de las fachadas de acuerdo con los requisitos del Condado para mejoras en la infraestructura de servicios públicos en Pájaro. El Proyecto propuesto incluye una solicitud para anexar las mejoras propuestas a la infraestructura de servicios públicos del Proyecto en el distrito de servicios públicos del Área de Reurbanización de Pájaro si aún no se encuentra dentro del distrito de servicios públicos, de modo que la clandestinidad de los servicios públicos a lo largo de la fachada del Proyecto pueda calificar para programas de financiamiento a través del Condado de Monterey.

POSIBLES EFECTOS AMBIENTALES

El Condado ha determinado que se prepare un EIR para evaluar los impactos físicos ambientales directos e indirectos resultantes del proyecto propuesto. Por lo tanto, el Condado preparará un EIR. De acuerdo con la sección 15125 (d) de las Directrices de CEQA, este EIR incluirá la identificación y discusión de inconsistencias entre el proyecto propuesto y el Plan General de 1982, y otros planes específicos y regionales. La solicitud para el proyecto propuesto fue considerada completa por el personal del Condado de Monterey el 14 de Julio del 2006, bajo el Plan General de 1982; sin embargo, el proyecto se suspendió posteriormente debido a la recesión económica. En 2019, los solicitantes decidieron seguir adelante con el proyecto. La discusión del EIR incluirá un análisis de coherencia de políticas para el Plan General de 1982 y el Plan del Área del Condado Norte (1985).

Los tipos de efectos ambientales probables y el alcance del análisis asociado con la construcción e implementación del proyecto propuesto se resumen a continuación.

Estética

El proyecto propuesto alteraría el carácter visual existente del sitio del proyecto. Se requerirá que el proyecto establezca y alcance estándares de rendimiento para los niveles de luz en la línea de la propiedad para determinar los impactos de la luz y el deslumbramiento, particularmente en el área ribereña del Río Pajaro, el vecindario residencial adyacente al oeste y el tráfico en *San Juan Road*. El solicitante ha preparado simulaciones fotográficas y se está preparando una evaluación de impacto visual para evaluar los efectos en los recursos visuales. Los resultados de la evaluación del impacto visual se incorporarán a la discusión del EIR, que examinará el carácter visual existente y propuesto y la calidad de las cuencas públicas y el sitio del proyecto, identificar grupos de espectadores sensibles y la duración de las exposiciones. Esta sección del EIR identificará los posibles impactos en los recursos visuales y presentará medidas de mitigación para reducir los impactos identificados a un nivel menos que significativo.

Agricultura

El proyecto propuesto convertiría las tierras de cultivo principales en un uso urbano. El EIR incluirá una revisión del Plan General del Condado de Monterey (1982) y el Plan del Área del Condado del Norte para las políticas aplicables, e identificará los tipos de suelo, los cultivos existentes y el suministro de agua, y cuantificará la pérdida de tierras agrícolas principales utilizando los datos del Programa de Mapeo del Departamento de Conservación de California Tierras Agrícolas Importantes. La discusión abordará la conversión de campos de cultivo principales y abordará si el proyecto entraría en conflicto con la zonificación existente para uso agrícola o con un contrato de la Ley Williamson. El análisis EIR identificará los posibles impactos en los recursos agrícolas y presentará medidas de mitigación según corresponda.

Calidad del aire

El sitio propuesto está ubicado en la Cuenca del Aire de la Costa Central Norte, que está bajo la jurisdicción del Distrito de Recursos Aéreos de la Bahía de Monterey (distrito aéreo). El proyecto propuesto daría como resultado un aumento en las emisiones de criterios de aire durante sus operaciones, principalmente a través de nuevos viajes de vehículos generados por el desarrollo del sitio del proyecto. También se generarían emisiones durante la construcción del proyecto propuesto. Esta sección del EIR incluirá la cuantificación y evaluación de los impactos de la calidad del aire del proyecto utilizando el Condado de Monterey y los planes de gestión de la calidad del aire del distrito aéreo y los documentos de orientación de CEQA. El modelado se llevará a cabo utilizando el Modelo de Estimador de Emisiones de California (CalEEMod) para proporcionar una estimación de los criterios de emisiones de contaminantes atmosféricos en función del tipo de desarrollo y la capacidad del proyecto propuesto. Se abordarán los impactos tanto en la construcción como en la operación, y los resultados del modelado se incorporarán al EIR. La discusión de EIR también evaluará la consistencia del proyecto propuesto con los planes de calidad del aire aplicables. Esta sección del EIR identificará los posibles impactos en la calidad del aire y se desarrollarán medidas de mitigación según sea apropiado para abordar los posibles impactos que afectan la calidad del aire.

Recursos biológicos

El sitio del proyecto está completamente perturbado, ya sea por la producción agrícola en las parcelas de la zona F / 40 o por el desarrollo relacionado con la granja en las parcelas de la zona comercial intensa. Se propone eliminar seis árboles ornamentales no nativos que incluyen: dos aguacates, un chabacano, un nogal inglés, un acebo y un abeto.

Se realizará un estudio de campo de los recursos biológicos a nivel de reconocimiento del sitio del proyecto para (1) identificar las principales comunidades de plantas presentes; (2) evaluar el potencial de especies y hábitats de estatus especial, corredores de movimiento de vida silvestre, humedales / vías fluviales jurisdiccionales, árboles regulados y otros recursos biológicos importantes que ocurran; e (3) identificar y mapear cualquier ubicación observada de especies y / o hábitats de estado especial. Esta sección del EIR describirá los hábitats existentes y las especies de plantas y animales que se encuentran en el área del proyecto, y la ocurrencia y / o potencial de especies de estatus especial y sus hábitats. Se prepararán mapas que ilustren los tipos de hábitat y la ubicación de las especies de estado especial que se encuentran en el área del proyecto, si es necesario. El análisis EIR identificará los posibles impactos en los recursos biológicos y presentará medidas de mitigación según corresponda.

Recursos culturales

El sitio del proyecto está ubicado dentro de un área de Alta Sensibilidad Arqueológica. Se preparó un informe preliminar de reconocimiento arqueológico y una evaluación histórica de fase uno para el proyecto utilizando los criterios de revisión del Condado de Monterey. Los informes concluyeron que no hay evidencia de recursos arqueológicos subterráneos presentes en

el sitio y que los edificios de la era histórica en la propiedad no cumplen con los criterios nacionales, estatales o locales para recursos históricos significativos. La sección de recursos culturales del EIR también abordará los recursos culturales tribales. El análisis EIR identificará los posibles impactos en los recursos culturales, incluidos los recursos culturales tribales, y presentará medidas de mitigación según corresponda.

Energía

Las tres fuentes principales de consumo de energía del proyecto propuesto serán el uso de combustible en vehículos que viajan hacia y desde el sitio del proyecto, el uso de gas natural y el uso de electricidad en los edificios que se proponen ahí y para otros usos auxiliares como la iluminación. La demanda energética del uso de gas natural y electricidad en la construcción del proyecto propuesto se modelará en "CalEEMod." Los datos de millas recorridas de vehículos (VMT) generados a través de CalEEMod sirven como un proxy general de la magnitud del consumo de combustible para el transporte. El VMT asociado con el proyecto propuesto se introducirá en el modelo de Factores de Emisiones (EMFAC) para cuantificar la demanda de combustible que resultaría del desarrollo del proyecto propuesto. Esta discusión incluirá una descripción general del estándar de revisión para la evaluación de los efectos energéticos del proyecto, una descripción general de la legislación y las reglamentaciones estatales relacionadas y la cuantificación de la demanda energética del proyecto propuesto. Las medidas de mitigación que resultan en un consumo de energía reducido, si lo hay, así como cualquier medida propuesta por el solicitante que reduzca el consumo de energía se identificarán en esta sección de EIR.

Geología y suelos

Se ha preparado un informe de investigación geotécnica para el proyecto. Las conclusiones de ese informe de investigación se incorporarán a la discusión del EIR sobre los impactos relacionados con la geología y los suelos. De particular preocupación es la presencia de suelos arcillosos superficiales débiles que pueden causar un asentamiento excesivo bajo las cargas de construcción propuestas, y el potencial de licuefacción en el área de construcción propuesta. Esta sección del EIR proporcionará una descripción general de las condiciones geológicas y de los suelos del sitio del proyecto, utilizará la información disponible del informe geológico específico del sitio e identificará cualquier peligro geológico potencial asociado. El análisis EIR identificará los posibles impactos relacionados con la geología y los suelos y presentará medidas de mitigación según corresponda.

Emisiones de gases de efecto invernadero

El sitio del proyecto está ubicado dentro de la jurisdicción del Distrito de Recursos Aéreos de la Bahía de Monterey. Hasta la fecha, el distrito aéreo no ha adoptado la guía CEQA para el análisis de los efectos de los gases de efecto invernadero (GEI) de los proyectos de uso de la tierra (por ejemplo, umbrales numéricos de importancia), ni ha preparado un plan calificado de reducción de GEI para uso / referencia por parte de las agencias locales. Por lo tanto, se desarrollará un umbral de importancia (threshold of significance). El umbral de importancia se basará en la población de servicios y reflejará la metodología actual para definir un umbral de importancia que considere la jurisprudencia reciente de CEQA, incluido el caso "Newhall". El umbral se basará en el objetivo de reducción de emisiones a nivel estatal para 2030 de 40 por ciento por debajo de los niveles de 1990 definidos en SB 32, el empleo y la población proyectados a nivel estatal (población de servicios) en el año de construcción del proyecto propuesto, y en los volúmenes de emisiones de los sectores de uso de la tierra incluidos en el inventario de emisiones de GEI de 1990 de California.

Las emisiones de GEI generadas por las actividades de construcción del proyecto y las operaciones anuales del proyecto se cuantificarán utilizando CalEEMod en función de los tipos de desarrollo y la capacidad de desarrollo del proyecto propuesto. Las emisiones de GEI de

referencia de las actividades existentes en el sitio del proyecto también se calcularán utilizando CalEEMod. Esta sección comparará la tasa de emisiones del proyecto propuesto con el umbral de importancia para determinar si el proyecto propuesto podría tener un impacto significativo en los volúmenes de emisiones de GEI. El análisis EIR identificará los posibles impactos de las emisiones de GEI y presentará medidas de mitigación según corresponda.

Materiales peligrosos y la seguridad

El sitio del proyecto puede contener sustancias potencialmente peligrosas relacionadas con el uso agrícola del sitio. Esta sección incluirá una discusión de los hallazgos de la Evaluación del Sitio Ambiental de Fase I preparada para el proyecto e identificará los peligros y materiales peligrosos que pueden resultar en impactos significativos. El análisis EIR identificará los posibles impactos, si los hay, y presentará medidas de mitigación según corresponda.

Hidrología y Calidad del Agua

El EIR abordará los problemas de las aguas subterráneas y superficiales. El sitio del proyecto se encuentra adyacente al Río Pájaro y se encuentra dentro de la llanura de inundación de 100 años del río. Se está preparando un análisis hidrológico y los resultados se incorporarán al EIR. Esta sección del EIR analizará los posibles impactos relacionados con la calidad del agua y las descargas de desechos que pueden afectar la calidad de las aguas superficiales o subterráneas, el suministro y la recarga de aguas subterráneas, los cambios en el drenaje o el aumento de las superficies impermeables que pueden provocar inundaciones dentro y fuera del sitio, erosión, fuentes adicionales de escorrentía contaminada, exceden la capacidad de los sistemas de drenaje existentes o planificados, impiden o redirigen los flujos de inundación y liberan contaminantes debido a la inundación del sitio del proyecto durante un evento de inundación. La discusión incluirá un análisis de la factibilidad y los efectos de profundizar una cuenca adyacente de detención de aguas pluviales del Condado de Monterey para acomodar la escorrentía relacionada con el proyecto. El EIR incluirá un análisis de la contribución del proyecto a las inundaciones acumulativas y a la calidad de las aguas superficiales y subterráneas. El análisis EIR identificará los posibles impactos a la hidrología y la calidad del agua y presentará medidas de mitigación según corresponda.

Ruido

Esta sección del EIR analizará los niveles de ruido que podrían ser producidos por los usos comerciales propuestos, ya que pueden afectar los usos adyacentes, sensibles al ruido. Esta sección también analizará los posibles cambios relacionados con el proyecto en la exposición al ruido del tráfico en las carreteras a lo largo de las carreteras cercanas o adyacentes al sitio del proyecto, así como cuantificará los niveles de ruido y / o vibración que probablemente ocurrirían durante la construcción del proyecto. Se identificarán los receptores sensibles al ruido que podrían estar sujetos a niveles de ruido o vibración que excedan los estándares de ruido aplicables o los umbrales CEQA durante la construcción. Se está preparando un análisis acústico, cuyos resultados se incorporarán a esta sección del EIR. El análisis EIR identificará posibles impactos relacionados con el ruido y presentará medidas de mitigación según corresponda.

Servicios públicos

Esta sección del EIR analizará cómo el proyecto propuesto afectaría la provisión de servicios públicos, y si serán necesarias instalaciones físicas nuevas o ampliadas para atender el proyecto. El análisis EIR identificará los posibles impactos y presentará medidas de mitigación según corresponda.

Transporte y Circulación

De conformidad con la Sección 21.64.250 del Código del Condado de Monterey, se ha preparado un Plan de reducción de viaje de instalaciones que se incorporará a la discusión del EIR. Se está preparando un estudio de tráfico para abordar los impactos del desarrollo siguiendo la Guía del Condado de Monterey para la Preparación de Estudios de Impacto de Tráfico (2014) y la versión más reciente de la Guía de Caltrans para la Preparación de Estudios de Impacto de Tráfico. El estudio de tráfico evaluará las condiciones existentes, de fondo y acumulativas con y sin el proyecto para las siguientes intersecciones y segmentos de carretera:

Intersecciones de estudio

1. Lincoln Street / Lake Avenue;
2. Lincoln Street / East Beach Street;
3. Lincoln Street / Riverside Drive;
4. Main Street / Freedom Boulevard (State Route 152);
5. Main Street / Lake Street (State Route 152);
6. Main Street / West Beach Street;
7. Main Street / Riverside Drive (State Route 129);
8. Riverside Drive (State Route 129) / Walker Street;
9. Porter Drive / San Juan Road;
10. Porter Drive / Salinas Road;
11. Salinas Road / San Juan Road;
12. Salinas Road / Elkhorn Road;
13. Salinas Road / Cabrillo Highway (State Route 1);
14. Elkhorn Road / Hall Road; and
15. San Miguel Canyon Road / San Juan Road.

Segmentos de carretera

1. Cabrillo Highway (SR 1), Sur de Salinas Road;
2. Salinas Road, Norte de Elkhorn Road;
3. Salinas Road, Este de Maranatha Drive;
4. Elkhorn Road, Sur de Hudson Landing Road;
5. San Juan Road, Oeste de San Miguel Canyon Road and
6. Riverside Road, Este de Murphy Road.

El EIR incorporará los resultados del estudio de tráfico y evaluará los posibles impactos del tráfico a corto plazo (construcción) y operativo generado por el proyecto propuesto. El análisis

EIR identificará los posibles impactos relacionados con el transporte y presentará medidas de mitigación según corresponda.

Servicio de agua

El sitio del proyecto está ubicado dentro de la Subárea Pájaro del Condado de North Monterey. Históricamente, la cuenca de agua subterránea experimenta sobregiro e intrusión de agua de mar. La Agencia de Gestión del Agua del Valle de Pájaro ha completado tres proyectos que trabajan juntos para ayudar a reducir el sobregiro, retrasar la intrusión de agua de mar y mejorar y proteger la calidad del agua en toda la cuenca de agua subterránea. El proyecto propone utilizar agua potable del Distrito de Servicios Comunitarios Pajaro-Sunny Mesa (PSMCSD) para el edificio comercial. Se utilizará un nuevo pozo en el sitio para la extinción de incendios y el riego del paisaje. Esta sección del EIR discutirá la demanda de agua del proyecto y la comparará con la capacidad de suministro regional. Se está preparando una estimación de la demanda de agua para el proyecto para comparar la demanda de agua propuesta con la demanda de agua existente e histórica en el sitio del proyecto, e identificar las condiciones actuales de suministro de agua y agua subterránea. Los resultados de la estimación de la demanda de agua se incorporarán a la discusión de EIR. La discusión de EIR incluirá la revisión del Plan General del Condado de Monterey (1982) y las políticas del Plan del Área del Condado Norte, y el Plan de Manejo de la Cuenca e identificará los posibles impactos (beneficiosos o adversos). Las medidas de mitigación se presentarán según corresponda.

Servicio de aguas residuales

El proyecto propone conectarse al alcantarillado público provisto por PSMCSD para la recolección de alcantarillado y la Planta de Tratamiento de Aguas Residuales de la Ciudad de Watsonville para el tratamiento y disposición de aguas residuales. Una parte del proyecto deberá anexarse a PSMCSD. Esta sección del EIR abordará el volumen de aguas residuales que se espera que genere el proyecto propuesto, la capacidad de las líneas existentes y / o propuestas, y la capacidad de la planta de tratamiento de aguas residuales y su capacidad para servir adecuadamente el proyecto. El análisis EIR identificará los posibles impactos relacionados con el servicio de aguas residuales y presentará medidas de mitigación según corresponda.

Otros asuntos

En esta sección del EIR se analizarán brevemente otros problemas que no se prevé que puedan tener un impacto significativo.

Impactos acumulativos

Según lo recomendado por la sección 15130(b)(1)(B) de las Directrices de CEQA, el EIR incluirá un resumen de las proyecciones contenidas en el Plan General del Condado de Monterey de 1982 y puede incluir la construcción del Plan General de Watsonville para formar el escenario de proyectos acumulativos; es decir, desarrollo del plan general. El foco principal de los impactos acumulativos estará en la conversión de tierras agrícolas, inundaciones, tráfico y suministro de agua. Se evaluarán los impactos acumulativos de la calidad del aire y las emisiones de gases de efecto invernadero, de acuerdo con la orientación del distrito aéreo. El EIR incluirá una evaluación y determinación sobre si los impactos del proyecto propuesto son acumulativos considerables.

Inducción del desarrollo

Según lo requerido por las Directrices CEQA, el EIR discutirá el potencial del proyecto propuesto para generar impactos que induzcan el desarrollo.

Efectos significativos e inevitables

Cualquier impacto que se determine que es significativo e inevitable, como se discutió en otras secciones del EIR, se resumirá en esta sección del EIR.

Alternativas

De acuerdo con los lineamientos de CEQA, el EIR incluirá el análisis de un rango razonable de alternativas al proyecto propuesto, o a la ubicación del proyecto, que podrían alcanzar de manera factible la mayoría de los objetivos básicos del proyecto evitando o disminuyendo sustancialmente cualquiera de los efectos ambientales adversos significativos del proyecto. En el EIR se presentará una evaluación de los méritos comparativos de las alternativas.

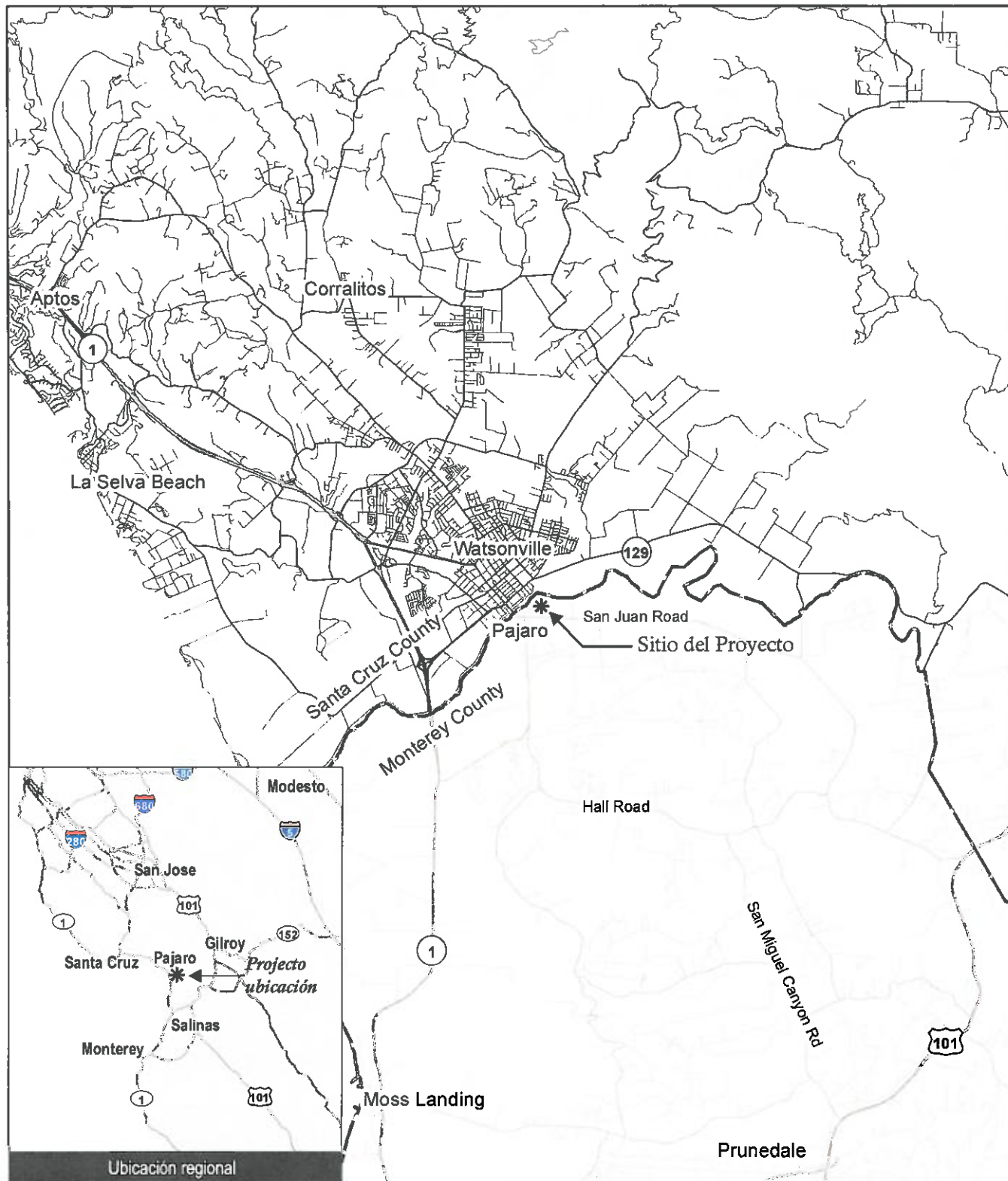
ALCANCE PÚBLICO

Durante el período de comentarios de 30 días, el Condado llevará a cabo una reunión pública de alcance el **20 de Febrero del 2020 a partir de las 4 p.m. a las 6 p.m. en la Iglesia de Nuestra Señora de la Asunción, 100 Salinas Road, Pajaro**. El propósito de esta reunión es obtener comentarios de agencias públicas interesadas, miembros interesados del público y otras organizaciones sobre el alcance de los problemas ambientales que se abordarán en el EIR.

PROCESO DE REVISIÓN AMBIENTAL

Luego de completar el período de revisión pública de 30 días del Aviso de Preparación (Notice of Preparation), el Condado de Monterey incorporará información relevante en el Borrador del EIR (Draft EIR), incluidos los resultados de los estudios técnicos. El borrador del EIR se distribuirá para revisión pública y comentarios durante el período de revisión pública de 45 días requerido. Todas las personas y organizaciones que hayan solicitado notificación, por escrito, se incluirán en una lista de Aviso de disponibilidad para el Borrador de EIR. Además, el Borrador de EIR y los materiales relacionados estarán disponibles para su revisión (en inglés) en el sitio web del Condado y en la sucursal de la biblioteca gratuita del Condado de Monterey Pajaro, 29 Bishop Street, Pajaro, y en la Agencia de Administración de Recursos del Condado de Monterey (Monterey County Resource Management Agency) ubicada en 1441 Schilling Pl., segundo piso, Salinas, CA, y el secretario del condado, ubicado en el Centro de Gobierno del Condado (Monterey County Government Center) en 168 West Alisal Street en Salinas. Luego de recibir todos los comentarios escritos sobre el EIR preliminar, el Condado de Monterey preparará las Respuestas a los Comentarios como parte del EIR final, que será considerado y actuado por la Comisión de Planificación (Monterey County Planning Commission). El Condado de Monterey notificará las futuras reuniones públicas de este proyecto a las personas que hayan solicitado ser incluidas en la lista de interesados en el proyecto.

Si tiene alguna pregunta o comentario con respecto a este aviso de preparación, comuníquese con Mary Israel, Planificadora del proyecto, al 831-755-5025 o por correo electrónico a IsraelM@co.monterey.ca.us.



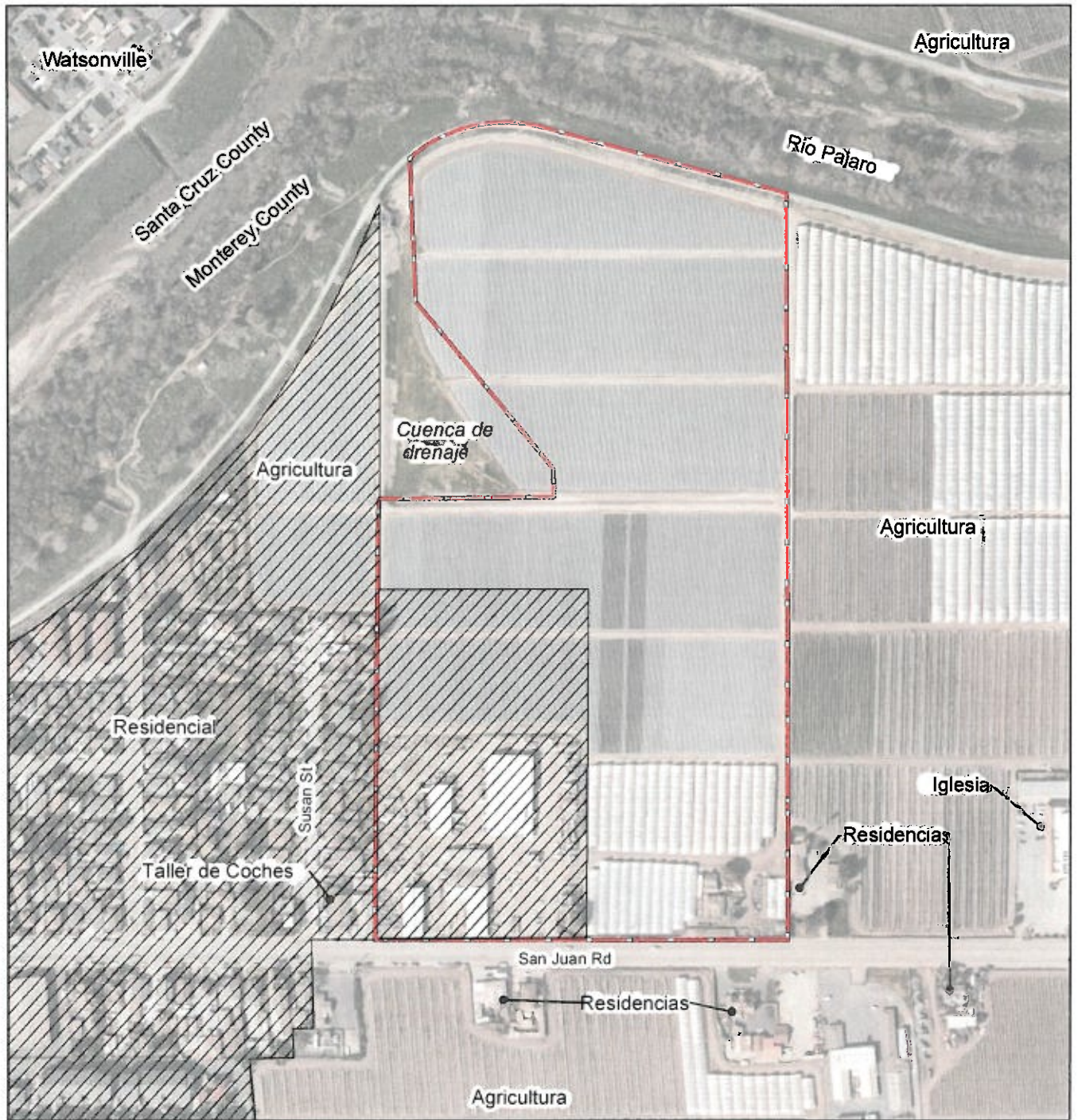
0 2 millas

Monterey/Santa Cruz
Límites del Condados




Source: ESRI 2019

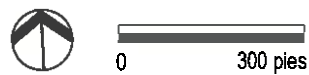


1. Mapa de Localización



Legend

-  límite del proyecto
-  Pajaro límite de área de reurbanización
-  Monterey/Santa Cruz Límite del condados

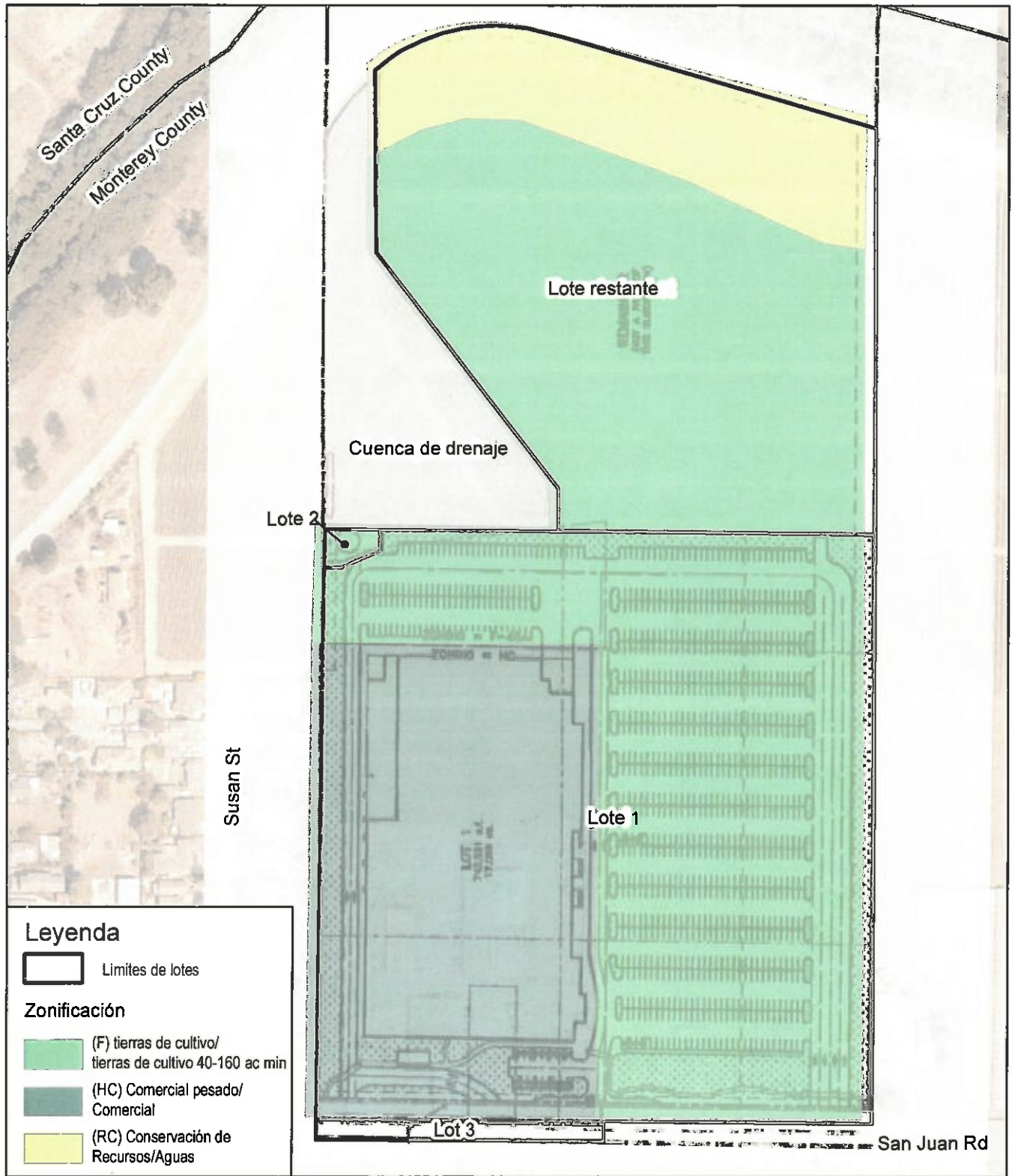


Source: Monterey County GIS 2018, ESRI 2019

Figure 2

Fotografía Aérea





Source: Monterey County GIS 2018, ESRI 2019, Bestor Engineers 2006

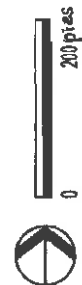
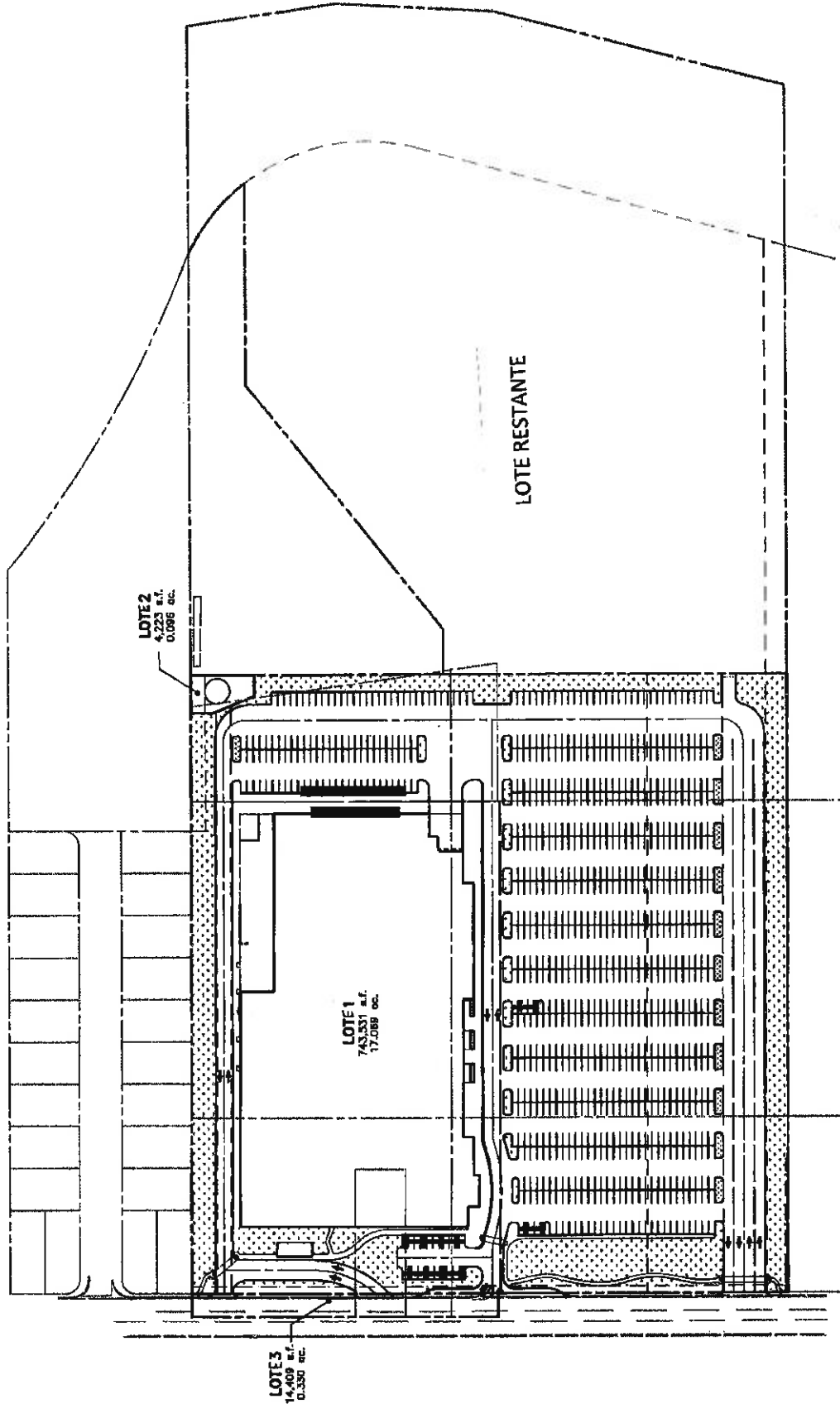


Figura 3



Configuration de Lote Propuesta

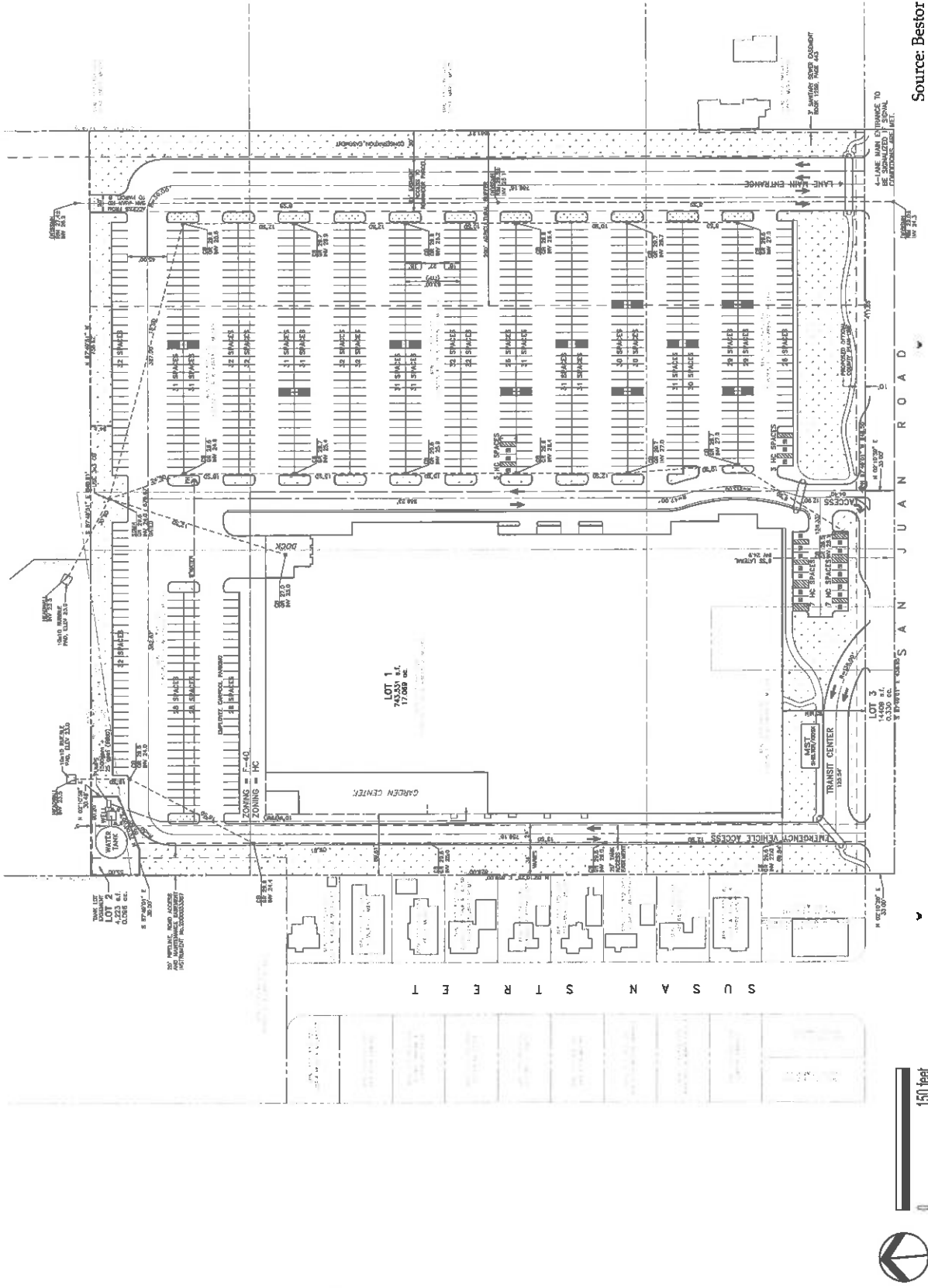
Miller Trust Commercial EIR Notice of Preparation



Source: Bestor Engineers, Inc. 2006

Figura 4
Mapa tentativo adjudicación preliminar
 Miller Trust Commercial EIR Notice of Preparation





Source: Bestor Engineers, Inc. 2006


Figura 5

Plan de sitio del proyecto comercial propuesto

Miller Trust Commercial EIR Notice of Preparation



EXHIBIT C



FARMWORKER HOUSING STUDY AND ACTION PLAN FOR SALINAS VALLEY AND PAJARO VALLEY



Prepared by

FINAL JUNE 2018



Executive Summary

Through a process of gathering primary and secondary data on the Salinas and Pajaro Valleys Laborshed, the research team of California Institute for Rural Studies and California Coalition for Rural Housing has identified some specific needs, barriers and solutions to the farmworker housing crisis in the Pajaro Valley of Santa Cruz County and the Salinas Valley of Monterey County

Beginning in December, 2016, we undertook a thorough compilation and analysis of existing databases on agricultural trends and labor patterns in the region. From this research, we found **that the estimated number of unique individual agricultural workers employed in the region during 2016 was 91,433.** An estimated half of California's current crop workers tell government interviewers they lack authorization for U.S. employment. And those who are documented are aging. Finally, the flow of foreign agricultural workers into the U.S. has declined sharply. Some employers report labor shortages. Intense efforts to mechanize every aspect of production are underway. Still other employers have sought H-2A workers to supplement their domestic workforce.

We implemented a survey of 420 farmworkers in the laborshed as well as interviews with employers and other stakeholders to gather primary data. Among the farmworkers surveyed, men and women were relatively evenly distributed across age groups with **75% of the interviewees married.** The clear majority of the immigrant farmworker interviewees had very few years of schooling. **They were 92% immigrants (not born in the U.S.).** About one fifth were follow-the-crop migrants (FTC) who had traveled outside the two county area for agricultural employment.

Most households of farmworkers interviewed included non-family members who were for the most part other farmworkers. There are consistently stunningly high rates of residences that are above the severely crowded condition of 2.0 people per room. This is true of almost all the subgroups of the population. **Often more than 5 people per bathroom.**

About 40% of respondents live in houses, 30% in apartments. Another 19% live in rented rooms without kitchens – either in houses or apartments. Another 12% live in “other” types of dwellings¹. Eighty-nine percent of farmworkers were

¹ Like motels, boarding houses or barracks

renters and 11% owners. Of those who reported as owners, a quarter own mobile homes.

Other characteristics of those interviewed included:

- Most have only completed primary school.
- Wages ranged from a median of \$12.79 per hour, mean of \$13.64, with median annual income of \$25,000.
- The majority do not work all year in agriculture.
 - 7.5 months is the median.
 - 44% of migrants work all year, 20% of non-migrants work year round.
- Average age at arrival is about 20,
- Median number of years in the US is 15 years.
- Median age was 37
- Median number of years with current employer is 4 years; a quarter worked for their employer for 8 years or more.
- Two-thirds are from four states in Mexico:
 - Oaxaca 21%
 - Michoacan 19%
 - Jalisco 14%
 - Guanajuato 10%
- 13% self-identified as indigenous Mixtec, Triqui, Zapotec
- They work in a range of crops throughout the region.
 - 46% participate in harvest
 - 16% are packers
 - 38% participate in all other farm-related tasks such as:
 - Weeding
 - Irrigating
 - Thinning
 - Pruning
 - Loading
 - Driving
 - Operating machines

Of the employers interviewed, a vast majority viewed the labor shortage as their main challenge to success. Those who did not hire H-2A workers had little knowledge of the conditions or type of housing in which their workers lived. And while the majority of employers noted that they were facing a labor shortage very few of those interviewed correlated this with a housing crisis.

A primary idea expressed among stakeholders interviewed was that workers were frequently victims of the current policies in effect at all levels of government. Stakeholders included employers not included in the survey, farmworker advocates, housing developers, housing managers, land use planners, service providers, attorneys, and academics. Under this umbrella of “victimization,” stakeholders mentioned exploitation of workers across the board. There were mentions of how workers are recruited and paid, migration challenges, and physical demands of the work. About half of the stakeholders expressed concern about the cost of developing more housing and how to pay for it.

The farmworker housing demand model developed in this project calculates the total housing units needed of all types, based on target People Per Dwelling (PPD), and total permanent affordable farmworker housing based on the current rate that farmworkers access subsidized housing.

Key findings of the demand model were:

- **An additional 45,560 units of farmworker housing are needed** to alleviate critical overcrowding in farmworker households that are occupied at 7.00 PPD to the average PPD of 3.23 in Monterey County and the average PPD 2.60 in Santa Cruz County
- **A total of 5,372 units of permanent affordable farmworker housing are needed to maintain the present “access rate”² of 7.6 percent of farmworkers to subsidized housing**

The data from this study indicate an overwhelming need for **affordable permanent year-round family housing**. However, approximately 20% of the total population, or 18,300 farmworkers, are migrant, non-permanent residents. Of those, more than 4,600 are H-2A visa workers. The H-2A employer is required to provide housing, and many have contracted with motels to fulfill this requirement.

The research team compiled a list of current funding for farmworker housing, shown below.

² Calculated by research team based on survey results

Federal

USDA Section 514/516 Farm Labor Housing
USDA Section 521 Rural Rental Assistance
USDA Section 502 Direct Loan/Section 523 Mutual
Self-Help Housing Technical Assistance
HUD Community Development Block Grant
HUD HOME Investment Partnerships
Federal Home Loan Bank Board Affordable
Housing Program

State

HCD Joe Serna, Jr., Farm Worker Housing Grant
HCD California Self-Help Housing Program
HCD CalHome
HCD Multifamily Housing Program
TCAC Federal and State Low-Income Housing Tax
Credits
HCD Farm Worker Housing Tax Credit Assistance
SGC Affordable Housing and Sustainable
Communities Program

USDA = U.S. Department of Agriculture
HUD = U.S. Department of Housing and Urban Development
HCD = California Department of Housing and Community Development
TCAC = California Tax Credit Allocation Committee
SGC = California Strategic Growth Council

The non-profit, for-profit, and housing authorities have the experience, flexibility, and expertise to continue to build and manage affordable housing units for farmworkers. However, projecting the number of units that these organizations, and others, can reasonably develop **over the next ten years** based on historical rates of development and in anticipation of increased funding and reduction of development barriers **we calculated that an additional 930 units could possibly be constructed**, far short of the 5,300 units necessary.

Project feasibility is constrained by adequate availability of land, cost of land, cost of construction, funding resources, and governmental regulations. **The ability to address the housing gap is not solely dependent upon the capacity of the local organizations but will require significant improvement in the conditions that restrict the development of affordable housing.**

Based on the in depth research, there are a range of potential actions to remove barriers and encourage development. The Study Oversight Committee prepared a Draft Action Plan for discussion with potential actions regarding Housing Type, Financing, Sites, and Regulatory Reforms.

DRAFT ACTION PLAN – APRIL 2018

Farmworker Housing Study Oversight Committee Recommendations

The following was considered at the Regional Forum on April 19, 2018.