

Attachment E

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**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. 22-024

Resolution by the Monterey County Planning
Commission:

- 1) Finding that the disapproval of the project is Statutorily Exempt from the California Environmental Quality Act per Section 15270 of the Guidelines; and
- 2) Denying 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%

[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:** **INCONSISTENCY** – The Project, as proposed, does not conform to 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:
 - 2010 Monterey County General Plan;
 - North County Area Plan; and
 - Monterey County Zoning Ordinance (Title 21).The project conflicts with the text, policies, and/or regulations of the applicable Monterey County Code (MCC). Communications were received during the course of review of the project suggesting that the project may be inconsistent with some of the applicable policies. The

Planning Commission considered comments and did not have sufficient evidence to support a finding of consistency with the applicable text policies and regulations.

- b) The proposed project was considered by the Monterey County Planning Commission on February 9, 2022, March 16, 2022 and September 28, 2022. At the September 28, 2022 hearing, concerns relating to proximity to agriculture, liquefaction, traffic and street adequacy, and flooding were unresolved. The applicant requested that a decision be made on September 28, 2022, rather than continuing the item to a date certain or uncertain to allow staff adequate time to address said concerns.
- c) 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 one 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.
- d) 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]. 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%. Although the property is within the

Community Plan area where growth was anticipated, a Community Plan for Pajaro has not been adopted to date.

- 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 “m”.
- f) 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. Policy AG-1.6 allows for farmworker housing provided the development is consistent with the surrounding land uses and minimizes 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.
- g) Agriculture Buffer. MCC Section 21.66.030 requires all development adjacent to "F", "PG" or "RG" Zoning Districts to establish an easement with a width of 200 feet, or wider where necessary to mitigate adverse impacts between agricultural and adjacent land uses. This regulation was adopted to implement Policy 30.0.2 of the 1982 General Plan. In 2010, the County of Monterey amended the General Plan. 2010 General Plan Policy AG-1.2 replaced 1982 General Plan Policy 30.0.2. Although the language is similar in that the goal of each policy is to protect agricultural operations, AG-1.2 details criteria to help establish an appropriate buffer width based on proposed development, site conditions, weather patterns, anticipated agriculture practices, crop type, machinery, and pesticide use, etc. California Government Code section 65860 requires county ordinances to be consistent with the General Plan. This section states that “[i]n the event that a zoning ordinance becomes inconsistent with a general plan by reason of amendment to the plan... the zoning ordinance shall be amended within a reasonable time so that it is consistent with the general plan as amended.” (Government Code section 65860(c)). MCC Section 21.66.030 has yet to be amended to

reflect the 2010 General Plan Policy AG-1.2 criterion, but it is included in the County's long range planning work program.

The project has been designed with a 100-foot buffer and vegetative screening on the eastern boundary. The proposed agriculture buffer is inconsistent with the 200-foot buffer requirement of MCC Section 21.66.030 and therefore requires the granting of a variance. The parcel to the east is zoned Farmland and currently operates as an organic farm. Prior to the September 28, 2022 Planning Commission hearing, the neighboring property owners (Miller Trust) informed the Agriculture Commissioner that they intend to convert to conventional farming in the foreseeable future. Although the Agricultural Advisory Committee on January 27, 2022 voted 6-0 with 5 members absent to recommend "support" of this project with a 100 foot buffer, the Agriculture Commissioner provided comment at the hearing that a 150 foot buffer, or wider, and vegetative screening would be more appropriate and encouraged the applicant and neighboring property owner discuss buffer alternatives. The Agricultural Advisory Committee did not discuss the buffer with the knowledge that the neighboring property would be converting to conventional farming.

- h) Traffic Generation. 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.

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, these housing units could be converted to traditional apartments with no restrictions on vehicle ownership resulting in more traffic than a H2A project in the future. 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. 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 instead be used as agriculture employee housing. Therefore, and based on actual traffic counts conducted at the Casa Boronda Agriculture employee housing project in Greenfield, the proposed project is anticipated to generate 145 daily trips as an agricultural employee sponsored housing project. With 145 daily trips, there would be approximately 545 trips on Susan Street per day.

Although the trip count would be limited to 145 daily trips, the generated traffic on a narrow street surrounded by residential lots may create potential safety and hazard concerns. See subsequent evidence “i”.

- i) Street Adequacy. The traffic 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. According to Monterey County road standards, tertiary streets can accommodate up to 100 lots or units or up to 1,000 vehicles per day. Nineteen 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. Although Susan Street meets the minimum requirements of a tertiary street, existing street conditions including parking on both sides and limited width raised concerns. The traffic engineer states that there is a clear width of 19 feet between the parked 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. Based on the traffic report, a width of 19 feet allows two buses to pass each other. Otherwise, the buses must pull over to allow the oncoming bus to pass. Requiring vehicles to pull over or backup if a bus cannot pass by at the same time has the potential to create a safety hazard. 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. This may also require southbound Susan Street approach lane vehicles to backup or pull over. 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. Although the traffic engineer confirms that the project’s trip generation will have a less than significant impact on Susan Street, the proposed use (agriculture housing) is not compatible with the Susan Street neighborhood and existing traffic conditions. The proposed project will introduce up to 481 occupants to a neighborhood that currently consists of 19 residential lots and one commercial use on the corner of Susan Street and San Juan Road. Susan Street is a narrow, dead-end street. Based on all the information in the record, concerns surrounding two-way traffic along Susan Street, San Juan Road and Susan Street intersection visibility, and indirect impacts to the residence

of Susan Street still exist and without further resolution, make the proposed development an incompatible use.

- j) Liquefaction. Based on Monterey County GIS, the subject property is located in an area with high seismic hazards and liquefaction risk potential. Liquefaction occurs when loosely packed, waterlogged sediments at or near the ground surface lose their strength in response to strong ground shaking. 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 include engineered foundations and subexcavation and recompaction of the upper five feet of soil. The site is susceptible to liquefaction and is located within a known flood area and a high-water table may exacerbate the waterlogged conditions of liquifiable soils. Due to the location, density and size of the development, the project as designed has a potential to expose occupants to hazards such as flooding and liquefaction.
- k) Flooding. The project is located within the 100-year Federal Emergency Management Agency (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 project engineer prepared a Potential Flood Hazard Impact report and concluded that the proposed project will not have a significant impact on the floodplain. Additionally, in accordance with MCC Chapter 16.16, the 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.

The project site is adjacent to the Pajaro levee and within Zones AE, AO, and the 100-year floodplain of the Pajaro River. The 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 MCC Chapter 16.16, 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. Although the proposed development is designed in accordance with Chapter 16.16, development consisting of

61 units and 481 occupants is not a compatible use for land susceptible to flooding and liquefaction and located on a narrow dead-end street. Plans to address levee overtopping by improving the Pajaro levee are currently in the planning and design phase but the timing of construction of these improvements is unknown. Until the levee is improved, the site is subject to flooding from levee overtopping which could impact the safety of the residence in the area.

- l) 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. 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. 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.
- m) Public Comment. Nineteen property owners along Susan Street signed a petition opposing the proposed project. Comments have requested that this project it would negatively impact neighborhood character, traffic, safety, 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. In addition impacts on neighborhood character, the Planning Commission found that the following topics were not sufficiently addressed: liquefaction, flooding, traffic, and proximity to agriculture. These items are addressed above.
- n) 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). Based on oral testimony during the September 28, 2022 Planning Commission hearing, the Agriculture Commission is recommending an increased buffer. See Finding 1, evidence “g.”
- o) 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.

- p) 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:

EVIDENCE:

SITE SUITABILITY – The site is not suitable for the use proposed.

- 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, Public Works Facilities & Parks, and the Agricultural Commissioner. The Agricultural Commissioner expressed concern regarding the proposed 100-foot agricultural buffer.
- 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.

Communications were received during the course of review of the project suggesting that the project site may be unsuitable for the proposed development. Based on all the information in the record, without resolution of concerns relating to traffic on a narrow street, impacts from flooding and liquefaction, and proximity to on-going agriculture, the proposed development site may not be suitable for development.

- c) 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 may 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 would place up to 480 residents in a floodplain, on a site with known liquefaction hazards, 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 uses which can lead to exposure to pesticides from drift.
 - b) See supporting evidence of Findings 1 and 2.

4. FINDING: CEQA (Exempt) – The project is statutorily exempt from environmental review.

- EVIDENCE:**
- a) Although a Mitigated Negative Declaration was prepared for the proposed project pursuant to CEQA Guidelines Section 15070, Section 15270(a) of the CEQA Guidelines states that the California Environmental Quality Act does not apply to projects which a public agency rejects or disapproves.
 - b) This project was disapproved due to inconsistency with the applicable plans and policies as described in Finding 1.

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

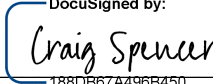
DECISION

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

1. Find that the disapproval of the project is Statutorily Exempt from the California Environmental Quality Act per Section 15270 of the Guidelines; and
2. Deny 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

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

AYES: Daniels, Diehl, Roberts, Work, Mendoza, Monsalve, Gonzalez
NOES: Carrillo
ABSENT: Coffelt, Getzelman
ABSTAIN: None

DocuSigned by:

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Craig Spencer, Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON **OCT 21 2022**.

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 **OCT 31 2022**.

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.

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