ORDINANCE NO. 5205

AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA, AMENDING SECTION 21.08.060 OF TITLE 21 (MONTEREY COUNTY ZONING ORDINANCE) OF THE MONTEREY COUNTY CODE TO REZONE CERTAIN PROPERTY IN THE COUNTY OF MONTEREY

County Counsel Summary

This ordinance amends Section 21-26 of the Sectional District Maps of Section 21.08.060 of Title 21 (non-coastal zoning) of the Monterey County Code to rezone a 4.6 acre parcel to add an "Affordable Housing Overlay" zone. The ordinance rezones the parcel from "F/40" [Farmland, 40 acres per unit] zoning to "F/40"- "AHO" [Farmland, 40 acres per unit- Affordable Housing Overlay] zoning. The parcel (Assessor's Parcel Number: 257-031-005-000) is located at the near terminus of McCoy Road, south of the Soledad area correctional facilities, Central Salinas Valley Planning Area of the unincorporated area of the County of Monterey.

The Board of Supervisors of the County of Monterey ordains as follows:

SECTION 1. ZONING DISTRICT MAP. Section 21-26 of the Sectional District Maps of Section 21.08.060 of the Monterey County Code is hereby amended to rezone a 4.6 acre parcel located at the near terminus of McCoy Road, south of the Soledad area correctional facilities (Assessor's Parcel Number: 257-031-005-000) from "F/40" to "F/40"- "AHO," as shown on the map attached hereto as Exhibit 1 and incorporated herein by reference.

SECTION 2. FINDINGS. The parcel currently contains legal non-conforming residential uses and structural development. Policy LU-2.11 (relating to Affordable / Workforce Housing Program) of the 2010 Monterey County General Plan provides that if a project proposal meets all of the affordability criteria, the property owner may voluntarily choose to develop an Affordable Housing Overlay project, rather than a use otherwise allowed by the underlying land use designation. The proposed Camphora Apartment Replacement Project will qualify as 100% affordable under County standards. The Affordable Housing Overlay will enable the proposed Camphora Apartment Replacement Project for farmworkers (agricultural employees) and their families to be consistent with the General Plan and zoning, and the use would be legal and conforming to the new F/40-AHO district.

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors hereby declares that it has passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 4. EFFECTIVE DATE. This Ordinance shall become effective on the thirty-first day following its adoption.

PASSED AND ADOPTED on this 31st day of July, 2012, by the following vote:

AYES:

Supervisors Armenta, Calcagno, Salinas, Parker and Potter

NOES:

None

ABSENT:

None

ABSTAIN:

None

Chair,

Monterey County Board of Supervisors

ATTEST:

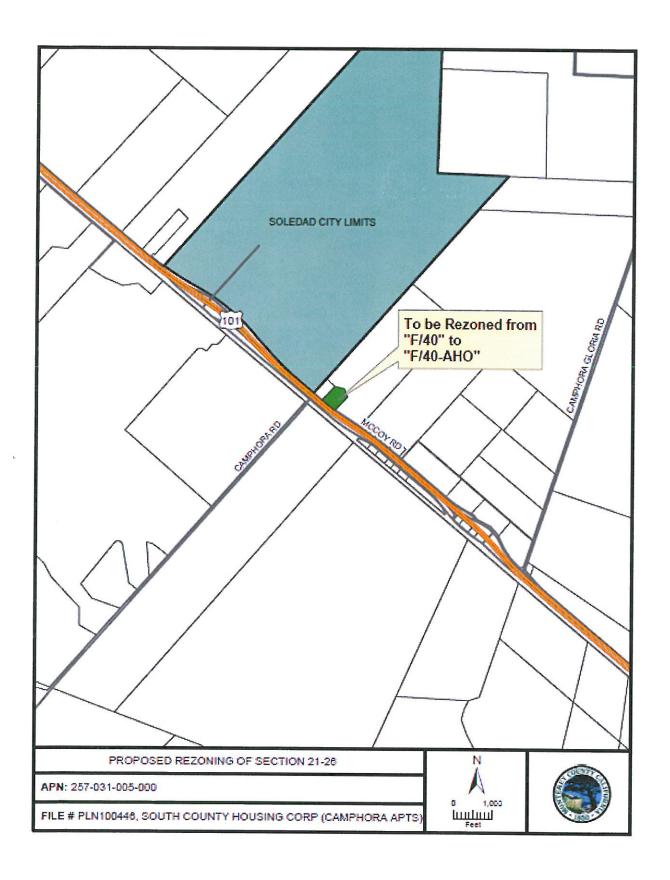
GAIL T. BORKOWSKI,

Clerk of the Board of Supervisors

Deputy

APPROVED AS TO FORM

WENDY S. STRIMLING
Senior Deputy County Counsel



Before the Board of Supervisors in and for the County of Monterey, State of California

Resolution No. 12-219

Resolution of the Monterey County Board of)
Supervisors to Adopt a Negative Declaration)
for the Camphora Apartment Replacement)
Project (PLN100446/South County Housing)
Corporation))

The Camphora Apartment Replacement Project came on for public hearing before the Monterey County Board of Supervisors on July 31, 2012. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Monterey County Board of Supervisors hereby finds and decides as follows:

RECITALS

WHEREAS, the Monterey County Planning Department prepared an Initial Study pursuant to CEQA for the Camphora Apartment Replacement Project. The Initial Study is on file in the offices of the Planning Department and is hereby incorporated by reference (PLN100446), and

WHEREAS, issues analyzed in the Initial Study include: aesthetics, agriculture and forest resources, air quality, biological resources, cultural resources, geology/soils, greenhouse gas emissions, hazards/hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services, recreation, transportation/traffic, and utility/service systems, and

WHEREAS, there is no significant wildlife habitat or natural features present on the site, nor examples of the major periods of California history or prehistory. Redevelopment of the project site will not conflict with any applicable habitat conservation plan or natural community conservation plans, as there are no adopted habitat conservation plans or natural community conservation plans along this portion of the Salinas Valley. The project will not have the potential to degrade the environment in this regard and is considered to be less than significant.

WHEREAS, the redevelopment of the subject property and the replacement of 44 existing residential units with 44 new residential units does not introduce new impacts that are cumulatively considerable. In the project description and analysis of the environmental criteria contained in the Initial Study checklist, the project has been designed to meet or exceed a LEED Gold Level standard. No thresholds of the air management district will be exceeded or require mitigation. The project has been determined to have a less than significant effect on Greenhouse Gasses through the use of the CalEEMod air quality model prepared by County staff and included in the environmental analysis. Furthermore, staff recommends that a Negative Declaration is the

appropriate environmental determination for the project as no mitigation measures have been determined necessary. Beyond the temporary less than significant impacts of noise and effects related to construction vehicles, the project is considered to have a less than significant impact on cumulative resources.

WHEREAS, the project is intended to improve and correct existing adverse living conditions for the residents of the Camphora Apartment Complex. The project has been designed to alleviate overcrowding and to remove failing septic treatment systems and to connect to public sewer infrastructure. Furthermore, the project site will be built to modern building code standards and will include outdoor and recreational amenities for the residents. No significant (negative) environmental impacts have been identified for the project. The project will be a direct improvement in the quality of life for the residents. In this manner the project is considered to be less than significant in that it will not have an adverse affect on human beings.

WHEREAS, 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 Plan has been prepared in accordance with Monterey County regulations, and

WHEREAS, the Initial Study provides substantial evidence, based upon the record as a whole, that the project would not have a significant effect on the environment. Staff accordingly prepared a Negative Declaration, and

WHEREAS, the Draft Negative Declaration ("ND") for PLN100446 was prepared in accordance with CEQA and circulated for public review from June 25, 2012 through July 24, 2012 (SCH#: 2012061079).

WHEREAS, the County has considered the comments received during the public review period and they do not alter the conclusions in the Initial Study and Negative Declaration, and

WHEREAS, the Negative Declaration reflects the independent judgment and analysis of the County, and on the basis of the whole record before the Monterey County Board of Supervisors, there is no substantial evidence that the proposed project, as designed and conditioned, will have a significant effect on the environment.

DECISION

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors does hereby: Adopt a Negative Declaration for the Camphora Apartment Replacement Project.

PASSED AND ADOPTED upon motion of Supervisor Salinas, seconded by Supervisor Potter, and carried this 31st day of July 2012, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas, Parker and Potter

NOES: None ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 76 for the meeting on July 24, 2012.

Dated: July 31, 2012 File Number: ORD 12-021 Gail T. Borkowski, Clerk of the Board of Supervisors County of Monterey, State of California

Denut

Before the Board of Supervisors in and for the County of Monterey, State of California

Resolu	tion No.12-221	
	tion of the Monterey County)
Superv	visors to:)
Approve a Use Permit for the Camphora		
Apartment Replacement Project to allow for)
the demolition of 44 substandard farmworker)
housing units and the construction of 44 new)
farmworker housing units consisting of:		
1.	22 two-bedroom (880 square foot) and)
	22 three-bedroom (1,138 square foot))
	garden apartments;)
2.	A 4,300 square foot community)
	building with a meeting room, office,)
	storage, laundry room, and computer)
	lab;)
3.	A half-court basketball area, two turf-)
	covered play areas, a tot lot, barbecue)
	patio and seating area, and extensive)
	landscaping;)
4.	Solar panels placed on the covered)
	parking areas;)
5.)
	yards of cut and 4,500 cubic yards of)
	fill; and)
6.	Connection to the City of Soledad)
	sewer infrastructure.)
(PLN1	00446/South County Housing)
`	Corporation)	
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The Camphora Apartment Replacement Project application (PLN100446) came for public hearing before the Monterey County Board of Supervisor on July 31, 2012. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Monterey County Board of Supervisors hereby 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.

- a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - the 2010 Monterey County General Plan;
 - Central Salinas Valley Area Plan; and

- Monterey County Zoning Ordinance (Title 21); No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
- b) The property is located at 32101 McCoy Road, Soledad (Assessor's Parcel Number 257-031-005-000), Central Salinas Valley Area Plan. The parcel is zoned F/40 which allows farm employee housing for more than five families or more than twelve single persons, subject to a Use Permit (Section 21.20.050 AA).
- c) A Use Permit was issued for the property on September 30, 1958 allowing the establishment of a labor camp with a maximum of 1,000 men (Planning Commission Resolution No. 3352). Forty-four units were constructed on the site in the 1960s consisting of seven buildings ranging from 8-10 units per building, and all still remain without any notable modifications for 50 years. Approximately 185 persons reside on the property today.
- Additionally, the applicant has proposed to add an Affordable Housing Overlay Zone (AHO) designation to the property to bring it into conformance with the 2010 General Plan. By separate action taken just prior to this action, the Board of Supervisors adopted an ordinance to add the AHO zoning overlay to the property. The ordinance rezones the parcel from "F/40" [Farmland, 40 acres per unit] zoning to "F/40- AHO" [Farmland, 40 acres per unit-Affordable Housing Overlay] zoning. With that rezone, the project is consistent with the 2010 General Plan and Zoning. The Use Permit does not go into effect until the zoning ordinance goes into effect (on the 31st day following its adoption). Without the AHO, the project proposal would be non-conforming to the development standards of the F/40 district. Lot size would remain nonconforming at 4.6 acres in a district intended for 40 acre minimum parcel sizes and lot coverage would exceed 5%. For an AHO district, the 2010 Monterey County General Plan does not specify development standards such as minimum lot size, setbacks, height and coverage; it mainly specifies the affordability range of units to be offered and a range of preferred development density. Similar to the latitude offered in General Development Plans, the County has great discretion in how such an Affordable Housing Project can be developed. In this manner, a project meeting the Affordability Criteria for an Affordable Housing Project and a project that meets the Development Standards for Agricultural Employees Housing, the County is given leeway through a Use Permit review in approving an appropriate site design for the subject property. With County approval under these circumstances, the site will become legal and conforming to Code.
- e) The Camphora Apartment Replacement proposal requested the following County of Monterey entitlements and actions:
 - 1) A rezoning request to Section 21-26 of the Sectional District Maps of Section 21.08.060 of Title 21 (non-coastal zoning) of the Monterey County Code to rezone a 4.6 acre parcel to add an Affordable Housing Overlay zone. The ordinance rezones the parcel from "F/40" [Farmland, 40 acres per unit] zoning to "F/40-AHO" [Farmland, 40 acres per unit-Affordable Housing Overlay] zoning; and

- 2) A Use Permit to allow for the demolition of 44 substandard farm worker housing units and the construction of a 44-unit Agricultural Employee Housing Facility consisting of:
 - a. 22 two-bedroom (880 square foot) and 22 three-bedroom (1,138 square foot) garden apartments;
 - b. A 4,300 square foot community building with a meeting room, office, storage, laundry room and computer lab;
 - c. A half court basketball area, two turf covered play areas, a tot lot, barbecue patio and seating area, and extensive landscaping;
 - d. Solar panels placed on the covered parking areas;
 - e. Grading of approximately 5,000 cubic yards of cut and 4,500 cubic yards of fill; and
- f. Connection to the City of Soledad sewer infrastructure. Subject to the AHO rezoning going into effect and the applicant constructing and operating the project site to meet the standards of an Affordable Housing Project, the project will be an allowed use for this site.
- f) Policy LU 1.7. "Clustering of residential development to those portions of the property which are most suitable for development and where appropriate infrastructure to support that development exists or can be provided shall be strongly encouraged."
 - The project is the redevelopment of an existing 44 residential units on a parcel less than 5 acres in area. While the site has been used for concentrated residential living for decades, this housing replacement project will make the site and living conditions more "suitable." Water and transportation infrastructure are present and sewer service will be provided by a connection to the City of Soledad sewer service. To formalize sewer service, the applicant has approached the City of Soledad and LAFCO and has requested an "extra-territorial provision of services." A "can-and-will serve" letter has already been issued by the City of Soledad.
- g) LU-1.11 "Development proposals shall be consistent with the General Plan Land Use Map designation of the subject property and the policies of this plan."
 - The 2010 General Plan designates the property as Farmland. The General Plan also provides that Affordable Housing Overlays (AHO) may be proposed by an applicant.
 - If a property meets all of the suitability criteria, the property owner may develop an Affordable Housing Overlay project rather than a use otherwise allowed by the underlying land use designation. With an AHO designation applied to the property and development according to the proposal provided by the applicant, the project will be consistent with the policies of the Plan.
- h) LU-1.12 "Structures in electrical transmission corridors or rights-of-way shall be prohibited."
 - An electrical transmission line presently runs through the property in a northwest to southeast direction. New structures have been sited to not be directly under these transmission lines and to meet the setback needs of the utility.

- i) LU-1.18 "If the standards in this General Plan render a legal lot of record substandard in size, the substandard size of the parcel shall not by itself render the parcel a legal nonconforming use. Any proposed expansion, enlargement, extension, or intensification of uses on such a lot shall not be prohibited due to its substandard size unless there are overriding public health impacts. Development of the lot shall comply with all other policies, standards, and designated land use requirements of this Plan."
 - The 4.6 acre parcel is zoned F/40 and maintains the legal, but non-conforming Camphora Housing Development. Standards for this F/40 district most appropriately provide for farming operations and large parcels and become complicated for smaller parcels that have relatively greater lot coverage needs. While this policy would not necessarily prohibit the "extension" of non-conforming uses on such a small lot, the applicant's proposal to develop consistent with the parameters of the AHO designations described in the General Plan will allow the redevelopment of the lot to become a legal and conforming development.
- j) LU-1.19 "Community Areas, Rural Centers and Affordable Housing Overlay districts are the top priority for development in the unincorporated areas of the County. Outside of those areas, a Development Evaluation System shall be established to..."
 - The Applicant has proposed that an Affordable Housing Overlay (AHO) district be applied to this property and has proposed a development consistent with and exceeding the affordability and suitability criteria for such developments. In Policy LU-1.19, the General Plan treats AHOs equally to Community Areas and Rural Centers as being a priority for development in unincorporated areas. Therefore, the subject property is not subject to the Development Evaluation System; the county has already established Affordable Housing as a priority. The Board has adopted the ordinance adding the AHO overlay zone.
- k) LU-1.20 "Residential development within unincorporated Monterey County shall be limited to area build-out. Area build-out means specific land use/density designations as mapped in the area plans and adopted as part of this General Plan."
 - The term "build-out" is relatively incongruous with a discussion of agricultural and farmland uses. As F/40, it is not a district targeted for general residential development; only those residential units that would support and enhance the use of prime, productive and unique farmlands are allowed. F/40 allows: single family dwellings, not exceeding four accessory units to the agricultural use; licensed residential care homes; and farm worker/employee housing facilities. Parcel sizes can range from less than one acre to thousands of acres. The redevelopment of 44 residential units on this less than a 5 acre site will not contribute additional residential density as at least 44 units have existed on this site for decades.
- LU-2.2 "Residential development shall be limited in areas that are unsuited for more intensive development due to physical hazards and development constraints, the need to protect natural resources, or the

lack of public services and facilities."

- Reuse and redevelopment of the present site should not be limited here for need of protecting natural resources, avoiding physical hazards and constraints, or for lack of public services. Having been intensely used for decades for farmworker housing at this same density, the site is suited for this "intensive development." The provision of additional public services, such as the connection to the Soledad sewage treatment system, and the removal of aged and failing onsite septic systems will further protect the residents as well as adjacent farmland and agricultural resources.
- m) LU-2.4 "Areas designated for residential use shall be located with convenient access to employment, shopping, recreation, and transportation. Higher density residential areas should be located with convenient access to public transit."
 - The site is not presently designated for residential use but will be with the addition of the AHO. The site will continue to serve agricultural employees with convenient access to employment via Highway 101. The site has been designed in consideration of buses being able to easily enter and drive through and pick up employees. The nearest shopping opportunity will remain the City of Soledad.
- n) AG-1.2 "The County shall require that well-defined buffer areas be provided as partial mitigation for new non-agricultural development proposals that are located adjacent to agricultural land uses on farm lands designated as Prime, of Statewide Importance, Unique, or Local Importance."
 - The site presently has relatively no agriculture buffer and does not maintain a conservation easement for this purpose. The 4.6 acre residentially-developed site is not considered Prime Farmland, of Statewide Importance, Unique, or of Local Importance although neighboring vineyard properties to the northeast and southeast are considered Prime Farmland.
 - The new project sets residential structures and the community building 75-90 feet from property lines. Within this 75-90 foot wide area is a circular drive path through the site, pedestrian pathways, landscaping and tree plantings, water storage tanks, carports with solar arrays, and new perimeter fencing.
 - The Camphora Apartment Replacement project has been designed to assure that drainage, shading, vegetation/landscaping, and erosion control will not impact or compromise adjacent agricultural uses.
 - The Monterey County Agricultural Commissioner's Office found the 75-90 foot wide agricultural buffer proposal to be an improvement over the present Camphora Apartment configuration which has structures 15 to 22 feet from property lines. The Agricultural Commissioner's Office indicated that the proposal was in keeping with the intent and purposes of agricultural buffers as provided for in the Plan.
- o) LU-2.12. "Monterey County shall establish a program for retaining affordable housing units. For-sale housing units with affordability restrictions developed within redevelopment project areas (Boronda, Castroville, Fort Ord, and Pajaro), Community Areas and Rural Centers

prior to the adoption of their Plans, as well as any project developed under the Affordable Housing Overlay Program shall be consistent with term of affordability provisions in State Redevelopment law. Rental units shall be deed restricted in perpetuity countywide."

- The project does not develop for-sale units, but it is a proposed project which would utilize the Affordable Housing Overlay.
- The affordability provisions in State Redevelopment law have gone away with dissolution of Redevelopment Agencies as of February 1, 2012.
- According to the Monterey County Economic Development Department, "the Project is in conformance with the Affordable Housing Overlay. Specifically, it conforms to Section LU-2.12 regarding the County's program for retaining affordable housing units. It is expected that the Project will be 100% affordable. The rental units will be deed-restricted for a term that is consistent with other affordable housing funding sources. It is expected that the term will be for a minimum of 55 years."
- p) LU-2.13 "The County shall assure consistent application of an Affordable Housing Ordinance that requires 25% of new housing units be affordable to very low, low, moderate, and workforce income households...."
 - Whereas the County must act evenhandedly in requiring new housing units created under an Affordable Housing Ordinance to have 25% of the units affordable according to the 6%, 6%, 8% and 5% figures, the applicant has proposed a project where all of the 44 units will be affordable to very low and low-income farm workers. This greatly exceeds the targeted minimums.
- q) LU-2.19 "The County shall refer amendments to the General Plan and zoning changes that would result in the creation of new residential, industrial, or commercial areas to the nearest cities for review and comment."
 - While the project was referred to the City of Soledad for their review, the project does not represent an increase in new housing units, merely the replacement of 44 existing legal but non-conforming units. The addition of the Affordable Housing Overlay district (zone change) has been referred to Soledad for review and comment and will serve to have the resulting development be in conformance with the Monterey County General Plan and codes.
- r) C-4.2. "All new road and interior circulation systems shall be designed, developed, and maintained according to adopted County standards or allowed through specific agreements and plans."
 - The project site proposes two driveways for access to the parking areas. Review of the plan proposed by the applicant shows conformance to the County's parking standards. Adoption of the development plan proposed and supplemented by a condition of approval applied to the project for conformance to standards will assure that this Policy is met.
- s) OS-1.8. "Programs to encourage clustering development in rural and agricultural areas to maximize access to infrastructure, protect prime agricultural land, and reduce impacts to designated visually sensitive

and critical habitat areas shall be established."

- While specific programs to encourage clustering development in rural and agricultural areas have not yet been developed, the redevelopment of the 44 units on this 4.6 acre site does serve to protect prime agricultural lands in that no new impacts to exiting agricultural areas are anticipated. At a density exceeding 9 units per acre, this project may be considered to be a clustered development.
- t) PS 3.1. The project is exempt from PS 3.1 (See Finding 6)
- u) Standards For Agricultural Employee Housing. The Camphora Apartment Replacement project meets the standards for the development of agricultural employee housing. (Section 21.66.060 of Tile 21 Zoning Code)
 - 1. There must be adequate water and sewer available to service the development, as determined by the Director of Environmental Health.
 - Compliance with conditions received from the Environmental Health Bureau will assure that there is adequate water and sewer available to service the development:
 - Condition 15 (EHSP01) Design the water system improvements to meet the standards as found in Titles 17 and 22 of the California Code of Regulations and as found in the Residential Water Supply Standards.
 - ii. Condition 16 (EHSP02) Design the water system improvements to meet fire flow standards as required and approved by the local fire protection agency.
 - iii. Condition 17 (EHSP03) The existing onsite wastewater treatment system (OWTS) currently serving 32101 McCoy Rd, Soledad shall be demolished or abandoned pursuant to the standards found in Monterey County Code (MCC), Chapter 15.20.090.
 - iv. Condition 18 (EHSP04) Engineered plans for the sewer system including all necessary redundancies shall be submitted to and approved by the City of Soledad. Plans shall be in conformance with Monterey County Code, Chapter 19.13 and the California Plumbing Code, Title 24 part 5 of the California Code of Regulations.
 - 2. The housing must be located off prime and productive agricultural land or on the parcel where no other alternatives exist on site, on the least viable portion of the parcel.
 - While zoned Farmland 40, the site has been developed with agricultural employee housing for 50 years and is not prime or productive agricultural land. This heavily impacted project site is ideally suited for redevelopment of the residential units so that no other or adjacent agricultural lands would potentially be impacted.
 - 3. The development shall incorporate proper erosion and drainage controls.
 - Preliminary Site Grading and Drainage Civil Engineered plans have been submitted by the applicant (Sheet C4) and reviewed by

- County Land Use Agencies, including the Water Resource Agency.
- Compliance with conditions received from the Water Resources Agency will assure that the project incorporates proper erosion and drainage controls:
 - i. Condition 26 (WRSP2) The applicant shall provide a drainage plan, prepared by a registered civil engineer, addressing on-site and off-site impacts. The plan shall include detention facilities to mitigate the impact of impervious surface stormwater runoff. The plan shall also include oil/grit separators for paved parking areas. Supporting calculations and construction details shall also be provided. Pond(s) shall be fenced for public safety. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency
 - ii. Condition 27 (WRSP2) The applicant shall provide certification from a registered civil engineer or licensed contractor that stormwater detention facilities have been constructed in accordance with the approved drainage plan.
- 4. Enclosed storage facilities shall be provided for each housing or dwelling unit.
 - Each of the two- and three-bedroom floor plan designs includes customary bedroom closets, linen closets, coat closets and kitchen cabinet storage spaces customary with a modern apartment design. Parking areas do not include enclosed garage spaces.
- 5. Laundry facilities, including washers and dryers, shall be provided on-site.
 - Laundry facilities will be provided on-site in the Community Building.
- 6. The site design of the facilities shall be subject to the approval of the Director of Planning.
 - As the Project includes a Use Permit and a Zone Change, the project design will be reviewed by the Planning Commission and decided upon by the Board of Supervisors.
- 7. The development of more than twelve (12) dwelling units shall require inclusion of recreation facilities and open space, proportional to the amount and type of facilities to be provided. The facilities shall require children's play equipment. Adult housing shall require the inclusion of appropriate recreational areas, such as for baseball, basketball, soccer or horseshoe pitching.
 - Recreational facilities will be provided for residents including a basketball half-court, two turf-covered play areas, a tot lot, and a picnic and barbecue area adjacent to the community building.
- 8. The development shall be landscaped pursuant to a landscaping plan approved by the Director of Planning prior to issuance of building

permits for the facility.

- The property will be extensively landscaped (See Plan Sheets L1-L6). (See Condition 9)
- 9. All recreational areas and landscaping shall be installed prior to occupancy of the facilities. Landscaped areas shall be maintained.
 - These items are handled through Conditions of Approval and are standard County practice. (See Conditions 1, 9)
- v) The project was not referred to a Land Use Advisory Committee (LUAC) for review as no LUAC is assembled for the Central Salinas Valley Area Plan.
- w) The project planner conducted a site inspection on September 27, 2011 to verify that the project on the subject parcel conforms to the plans listed above.
- x) The application, project plans, and related support materials were submitted by the project applicant to the Monterey County RMA Planning Department for the proposed development and are found in Project File PLN100446.
- 2. FINDING:

SITE SUITABILITY – The site is physically suitable for the use proposed.

- a) The project has been reviewed for site suitability by the following departments and agencies: Planning Department, Public Works Department, California Department of Transportation, Water Resources Agency, Mission Soledad Fire Protection District, Parks Department, Economic Development Department and Sheriff's Office. 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: Aesthetics, Agriculture and Forest Resources, Biological Resources, Cultural Resources, Greenhouse Gas Emissions, Hazards/Hazardous Materials, Land Use/Planning, Population/Housing, Public Services, Transportation/Traffic and Utilities/Service Systems. The following reports have been prepared:
 - "Geotechnical Engineering Report, South County Housing, Camphora Apartments", (LIB120132) Prepared by Earth Systems Pacific, dated January 25, 2011.
 - "Phase I Environmental Site Assessment, Camphora Labor Camp", (LIB120133) Prepared by Earth Systems Pacific, dated July 10, 2009.
 - "Additional Phase II Pesticide Testing, Camphora Apartments", (LIB120135) Prepared by Earth Systems Pacific, dated May 16, 2011.
 - "Phase II Addendum Arsenic" (LIB120136) Prepared by Earth Systems Pacific, dated August 16, 2011.
 - "Trip Generation and Traffic Operations Study for the Proposed Camphora Residential Development", (LIB120137) Prepared by Hexagon Transportation Consultants, Inc., dated March 1, 2011.
 - "Phase I Archaeological Study for the Camphora Apartments", Project, (LIB120138) Prepared by Doane and Breschini, December 2010.

- "Acoustical Analysis, Camphora Apartments", (LIB120139)
 Prepared by Brown-Buntin Associates, Inc., dated July 28, 2011.
- "Preliminary Sewer Demand Calculations for Camphora Housing Redevelopment Project (Revised)". (LIB120140) Prepared by Ifland Engineers, dated November 17, 2011.
- "Relocation Plan, Camphora Apartments" (LIB120143) Prepared by Autotemp, dated August 2010.

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. County staff has independently reviewed these reports and concurs with their conclusions.

- c) See the Finding #5 below for the California Environmental Quality Act (CEQA) and associated evidence.
- d) The project planner conducted a site inspection on September 27, 2011 to verify that the project on the subject parcel conforms to the plans listed above.
- e) The application, project plans, and related support materials were submitted by the project applicant to the Monterey County RMA Planning Department for the proposed development and are found in Project File PLN100446.

3. FINDING:

HEALTH AND SAFETY - The establishment, maintenance, or operation of the project applied for will not, under the circumstances of this 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.

- a) The project was reviewed by the RMA Planning Department, RMA Public Works Department, California Department of Transportation, Water Resources Agency, Mission Soledad Fire Protection District, Parks Department, Economic Development Department and Sheriff's Office. 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) The Camphora Apartment Replacement Project is intended to alleviate overcrowded conditions for residents, alleviate specific environmental concerns (see following Findings and Evidence) and to bring the property up to current health, safety and building codes.
- Alleviate Overcrowding. The existing 44 residential units in six buildings and the one community structure on the property cover approximately 29,586 square feet according to plans submitted by the applicant. These 44 units house approximately 185 persons and at least 13 of these units are considered overcrowded with more than 2 persons per room. Approval of the proposal would result in providing nearly 45,000 square feet of living space for the same 44 "households," including 22 three-bedroom units where no three-bedroom units previously existed. The project also includes a 4,301 square foot common use community center.

- d) Connection to a formal Sewage Treatment System. Septic systems on this less than 5-acre parcel have continually failed and have needed servicing over the decades. The on-site septic system will be abandoned and a sewer force main will be installed to connect the Project to the City of Soledad sewer system. It will be necessary for the City Council of the City of Soledad to approve and the Local Agency Formation Commission (LAFCO) of Monterey County to grant an "extra-territorial provision of services" to formalize the sewer service being provided by the City of Soledad. A can-and-will serve letter has been issued by the City of Soledad.
- e) Recreational facilities will be provided for residents including a basketball half-court, two turf-covered play areas, a tot lot, and a picnic and barbecue area adjacent to the community building.
- f) The property will be extensively landscaped. A landscaped earthen berm will be constructed along the McCoy Road frontage of the site to provide for visual separation and noise attenuation from nearby Highway 101.
- g) The existing well on the property will continue to serve the residents. The well was drilled in 1996 to a depth of 690 feet, yields an estimated 500 gallons per minute and meets current drinking water standards. Additional water storage will be incorporated into the project to assure fire flow requirements are met.
- h) The new Project will meet "green" building performance standards with the goal of achieving net zero energy use by off-setting projected energy consumption with a large photovoltaic system (solar panels) mounted on the roofs of carports. Upon completion, the construction of the Camphora Apartment Project is intended to meet a LEED Gold level or higher.
- i) The project planner conducted a site inspection on September 27, 2011 to verify that the project on the subject parcel conforms to the plans listed above.
- j) The application, project plans, and related support materials were submitted by the project applicant to the Monterey County RMA -Planning Department for the proposed development and are found in Project File PLN100446.

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.

- a) Staff reviewed Monterey County RMA Planning Department and Building Services Department records and is not aware of any violations existing on the subject property.
- b) A Use Permit was issued for the property on September 30, 1958 allowing the establishment of a labor camp with a maximum of 1,000 men (Planning Commission Resolution No. 3352). Forty-four units were constructed on the site in the 1960s consisting of seven buildings ranging from 8-10 units per building and all remain without any notable modifications for 50 years.
- c) The existing development is legal non-conforming as it was permitted by the County through the use permit process in 1958, yet the site does

not meet current development standards for lot coverage in the F/40 Zoning District. The present proposal would correct this by allowing an Affordable Housing Overlay zone to be applied to the site to enable an Affordable Housing Project. The resulting zoning designation would be "F/40-AHO". For an AHO district, the 2010 Monterey County General Plan does not specify development standards such as minimum lot size. setbacks, height and coverage; it mainly specifies the affordability range of units to be offered and a range of preferred development density. Similar to the latitude offered in General Development Plans, the County has great discretion in how such an Affordable Housing Project can be developed. In this manner, a project meeting the Affordability Criteria for an Affordable Housing Project and a project that meets the Development Standards for Agricultural Employees Housing, the County is given leeway through a Use Permit review in approving an appropriate site design for the subject property. With County approval under these circumstances, the site will become legal and conforming to Code.

- d) The project planner conducted a site inspection on September 27, 2011 to verify that the project on the subject parcel conforms to the plans listed above.
- e) The application, plans and supporting materials were submitted by the project applicant to the Monterey County Planning Department for the proposed development and are found in Project File PLN100446.

5. FINDING:

CEQA (Negative Declaration) – By Separate Action prior to taking action, the Board of Supervisors has adopted the Negative Declaration for this project (Resolution).

EVIDENCE:

The Draft Negative Declaration ("ND") for PLN100446 was prepared in accordance with CEQA and circulated for public review from June 25, 2012 through July 24, 2012 (SCH#: 2012061079).

6. **FINDING**:

LONG-TERM WATER SUPPLY (PS-3.1) Policy PS3.1 of the 2010 General Plan requires proof of long term sustainable water supply for new development for which a discretionary permit is required, with some exceptions.

- a) The project is not necessarily "new" development in that the existing condition of the property includes 44 residential units and the completed project will have an equivalent 44 units. "Redevelopment" would be a more appropriate term.
- b) The existing well on the property will continue to serve the residents. The well was drilled in 1996 to a depth of 690 feet, yields an estimated 500 gallons per minute, and meets current drinking water standards.
- c) This agricultural employee (farm worker) housing project is development related to agricultural land uses within Zone 2C.
- d) Policy PS-3.1 does not apply to the Camphora Apartment Replacement Project as the project meets exemption criteria (c) of Policy PS-3.1: (c) development related to agricultural land uses within Zone 2C of the Salinas Valley Groundwater Basin.
- e) "Agricultural Employee Housing" is defined in Section 21.06.014 of the Monterey County Zoning Code Title 21 as, "any living quarters or accommodations of any type, including mobile homes, which comply

with the building standards in the State Building Standards Code or an adopted local ordinance with equivalent minimum standards for building(s) used for human habitation, and buildings accessory thereto, where accommodations are provided by any person for individuals employed in farming or other agricultural activities, including such individuals' families. The agricultural employee housing is not required to be located on the same property where the agricultural employee is employed."

- The project is within Zone 2C of the Salinas Valley groundwater basin. f)
- Therefore, this policy does not apply to the Camphora Apartment Replacement Project, and the project is consistent with the General Plan.

DECISION

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors does hereby:

Approve a Use Permit for the Camphora Apartment Replacement Project to allow for the demolition of 44 substandard farmworker housing units and the construction of 44 new farmworker housing units consisting of:

- 1. 22 two-bedroom (880 square foot) and 22 three-bedroom (1,138 square foot) garden apartments;
- 2. A 4,300 square foot community building with a meeting room, office, storage, laundry room, and computer lab;
- 3. A half-court basketball area, two turf-covered play areas, a tot lot, barbecue patio and seating area, and extensive landscaping:
- 4. Solar panels placed on the covered parking areas:
- 5. Grading of approximately 5,000 cubic yards of cut and 4,500 cubic yards of fill: and
- 6. Connection to the City of Soledad sewer infrastructure.

The project shall be in general conformance with the plans attached hereto as Exhibit 1, and is subject to the Conditions of Approval attached hereto as Exhibit 2.

PASSED AND ADOPTED on this 31st day of July, 2012, by the following vote, to-wit:

AYES: Supervisors Armenta, Calcagno, Salinas, Parker and Potter

None NOES: ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 7 6 for the meeting on July 31, 2012

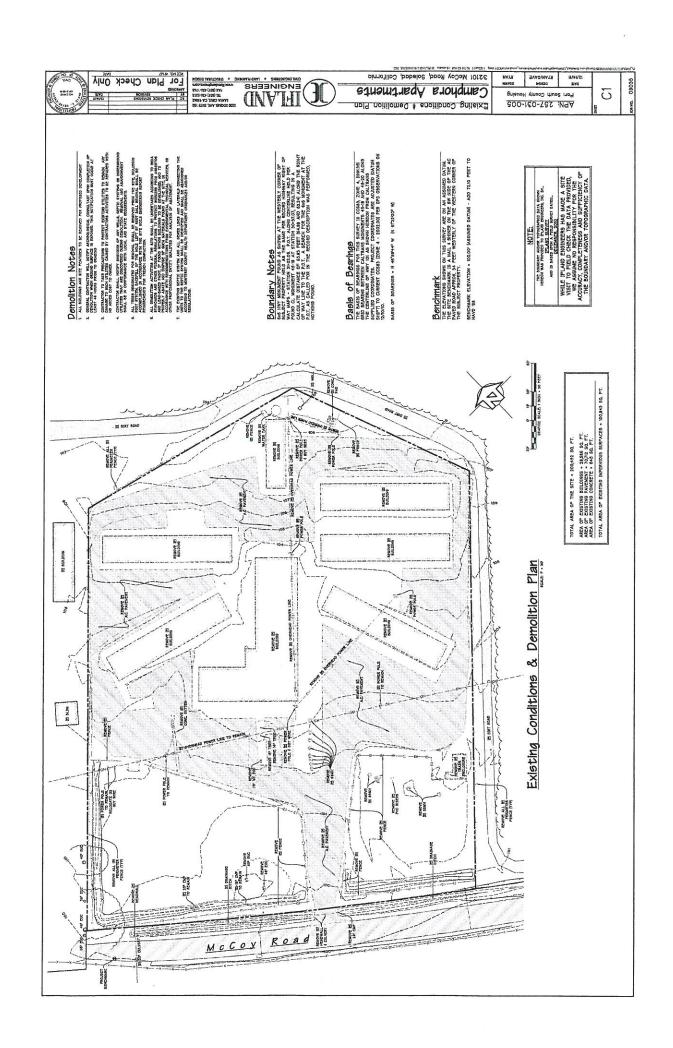
Dated: August 2, 2012

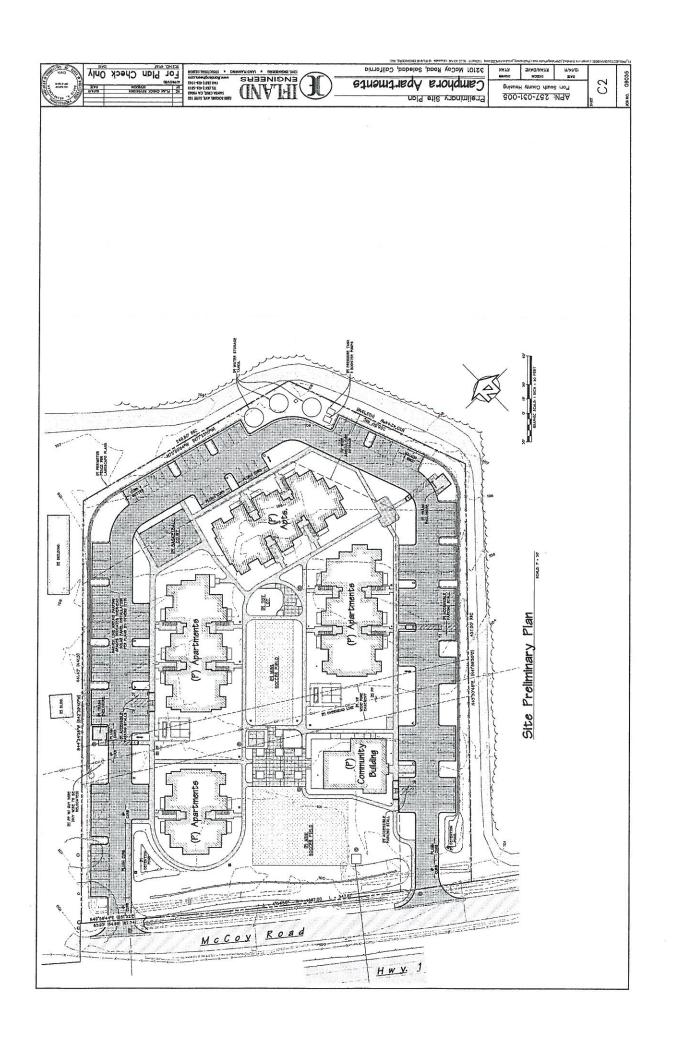
Gail T. Borkowski, Clerk of the Board of Supervisors County of Monterey, State of California

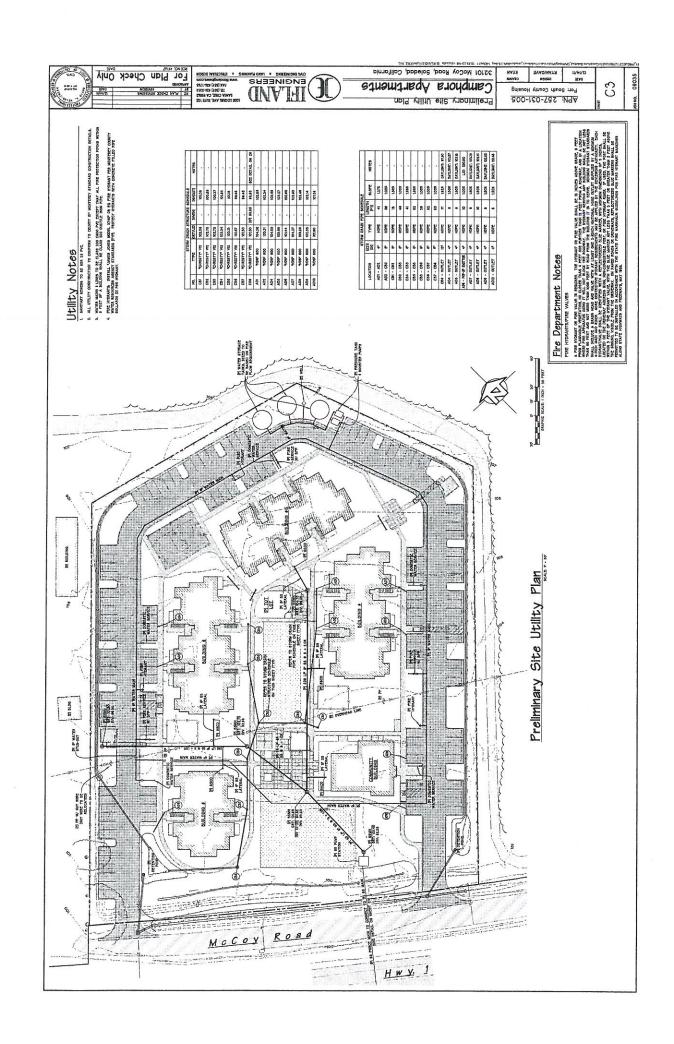
Deputy

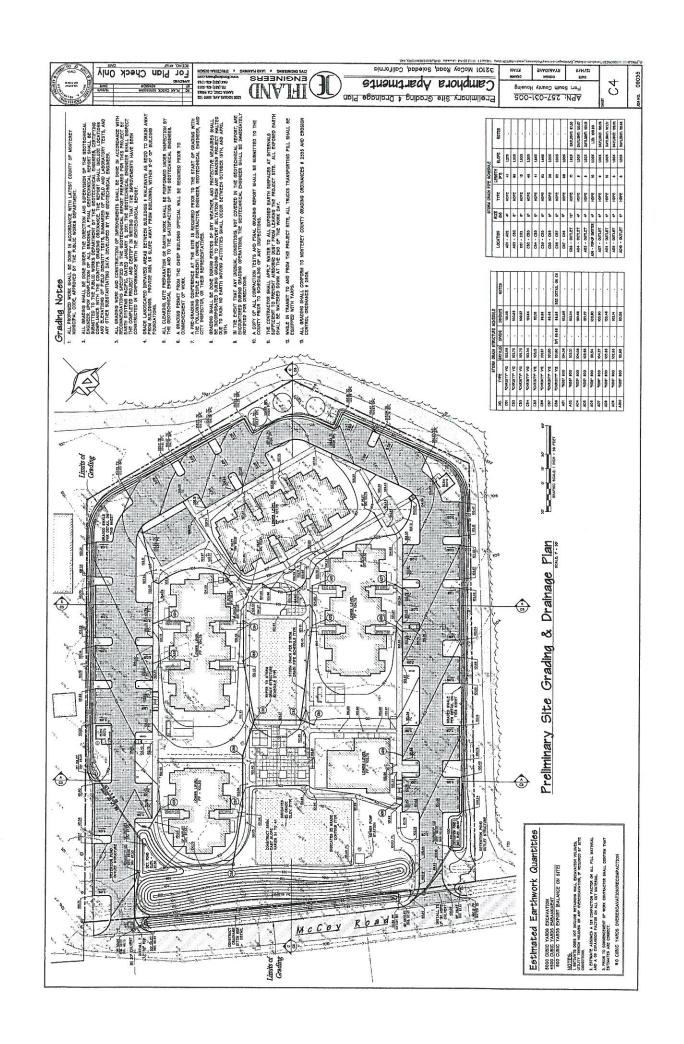
D-1 Site Development Plans, Floor Plans and Elevations

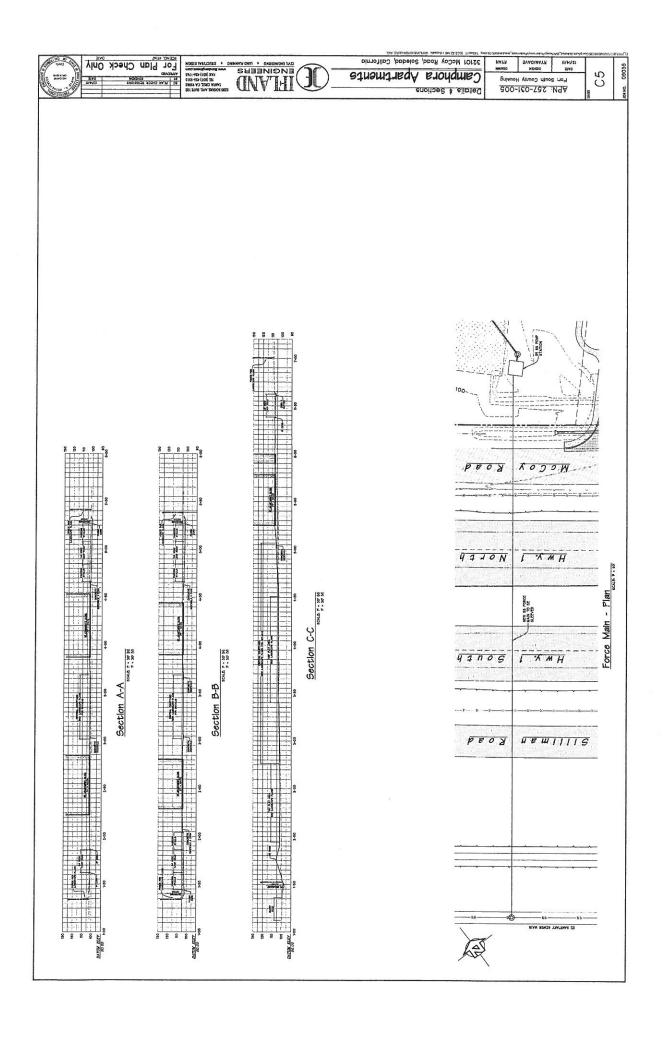
South County Housing Corporation (Camphora Apartments) PLN100446



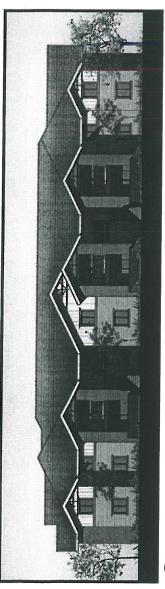












Apartments Gamphora

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Building 1 Plans

Building 1 Roof Plan

Building 2 Elevations

Building 2 Plans

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Buildings 3&4 Elevations

Buildings 3&4 Plans

Buildings 3&4 Roof Plans

Unit Plans

Community Building Elevations Community Building Plan A.02 A.02 A.02 A.03 A.05 A.07 A.08 A.11 A.11 A.13 A.13

Trash Enclosure

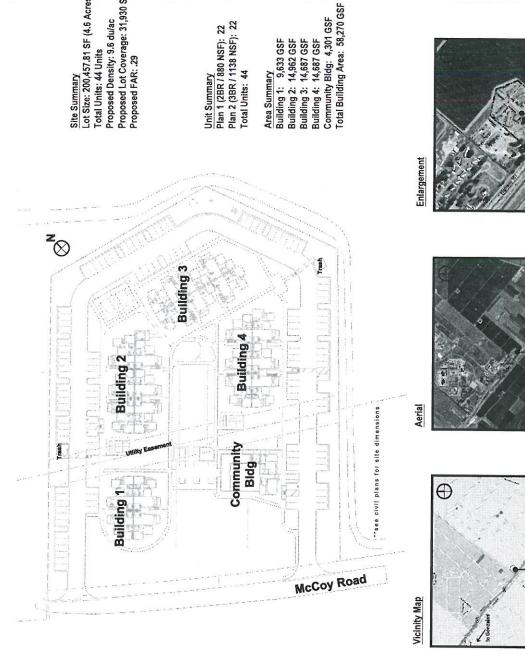
Soledad, California [20090043]

South County Housing

7455 Carmel St. Gliroy, California 95020 408 843 9263 Main 408 842 0277 Fax

June 16, 2011

Architecture + Planning 17922 Fitch Invine, California 92614 ktgy.com 949 861 2133 Main 949 474 8489 Fax



Area Summary

Proposed Density: 9.6 du/ac Proposed Lot Coverage: 31,930 SF Proposed FAR: .29 Site Summary Lot Size: 200,457.81 SF (4.6 Acres) Total Units: 44 Units

Parking Summary
Covered Resident Parking: 65 spaces
Open Resident Parking: 23 spaces
Total Resident Parking: 88 spaces (2 sp/du)
Parking Required (per SB1818): 66 spaces

Guest Parking: 18 spaces Community Building Parking: 15 spaces Total Parking Provided: 121 spaces

Architectural Site Plan

Soledad, California [20090043]

-Site

June 16, 2011

-Site

-Site

South County Housing

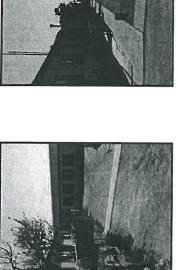
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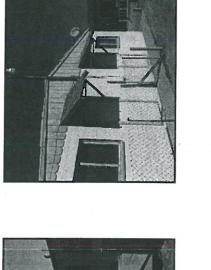
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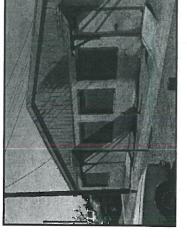
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Existing Site Photos

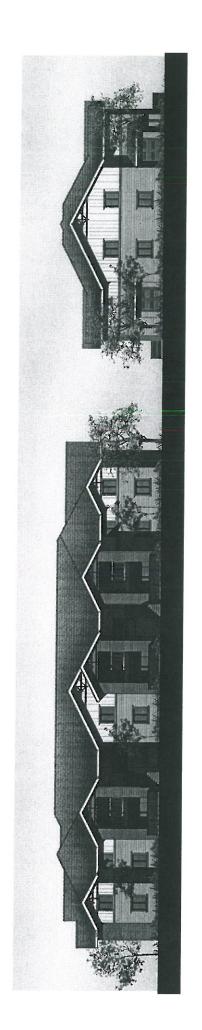
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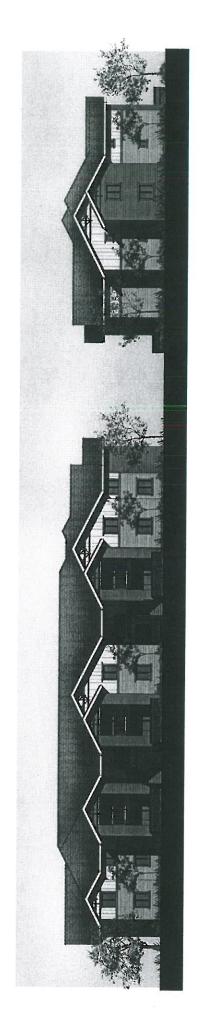
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June 16, 2011

Apartments Camphora

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Typical Colored Elevations A.01

Soledad, California [20090043]

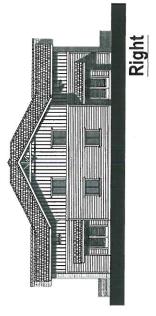
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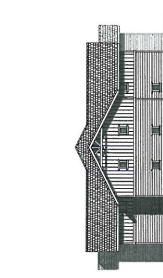
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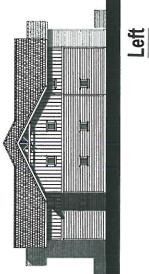
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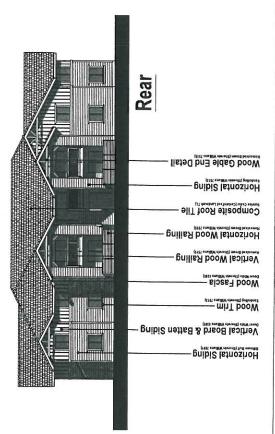


Building 1 Elevations Architecture + Planning 17922 Fitch Infine, California 92814 ktgy, com 949 851 2133 Main 949 474 8489 Fax 8-Plex Soledad, California [20090043]

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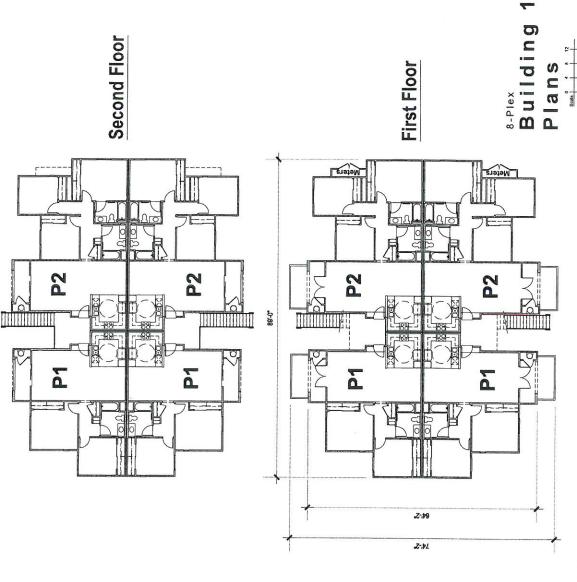
Apartments Camphora

Front



South County Housing

7455 Carmel St. Gilroy, California 95020 408 843 9263 Main 408 842 0277 Fax



Apartments

Camphora

South County Housing

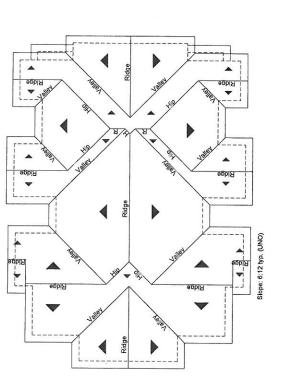
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Soledad, California [20090043]

June 16, 2011





Building 1 Roof Plan

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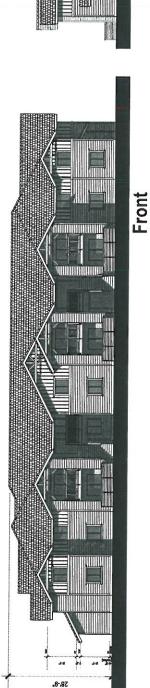
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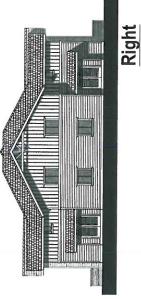
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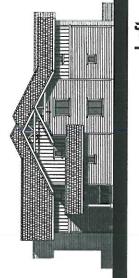
South County Housing

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Camphora Apartments







Left 12-Plex Building

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South County Housing

7455 Carmel St. Gliroy, California 95020 408 843 9263 Main 408 842 0277 Fax

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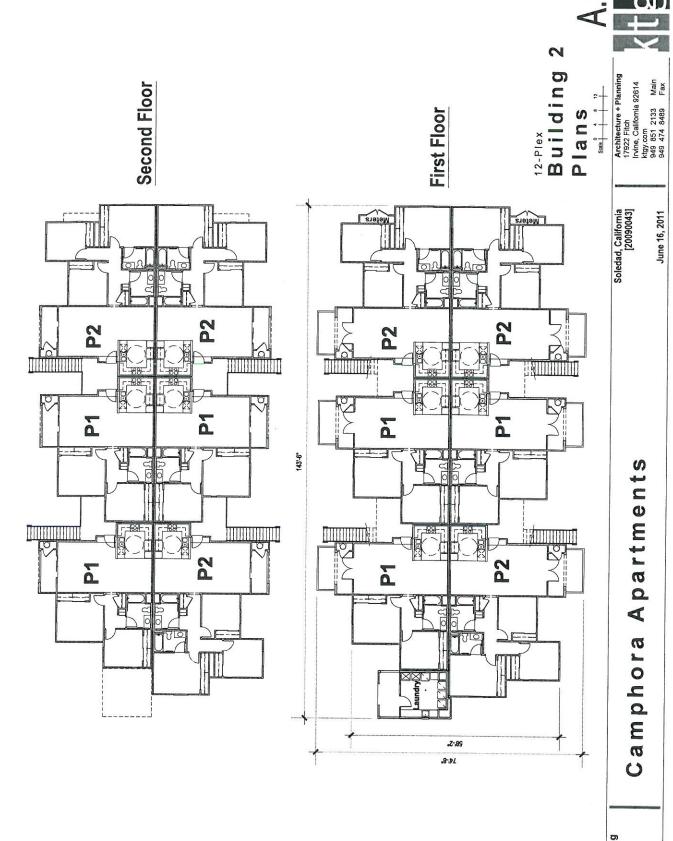
Horizontal Wood Railing Vertical Wood Railing

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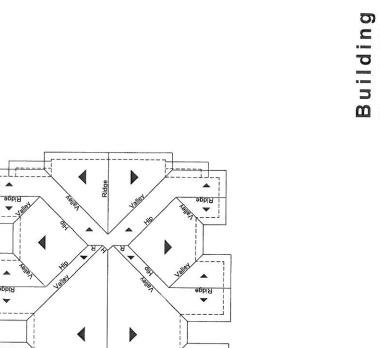
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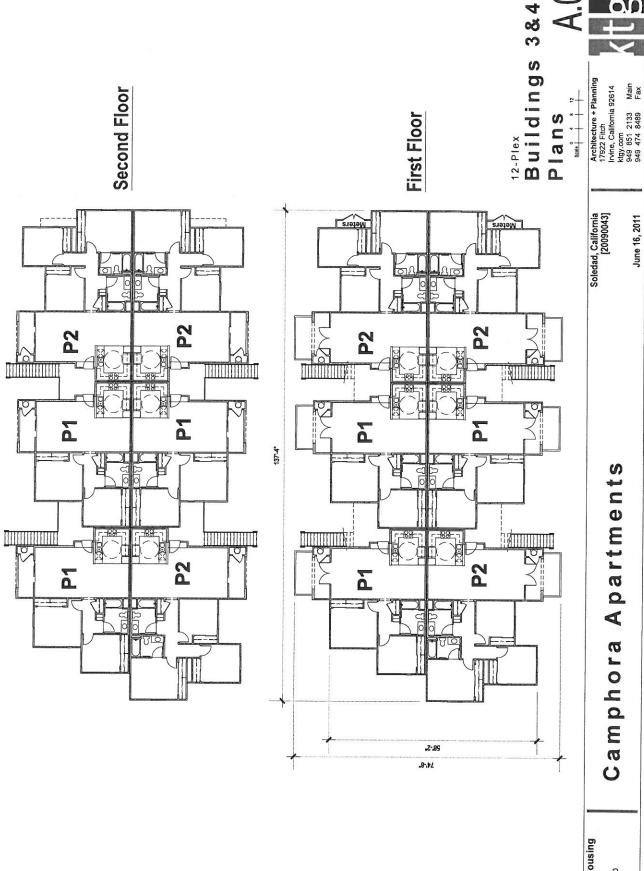
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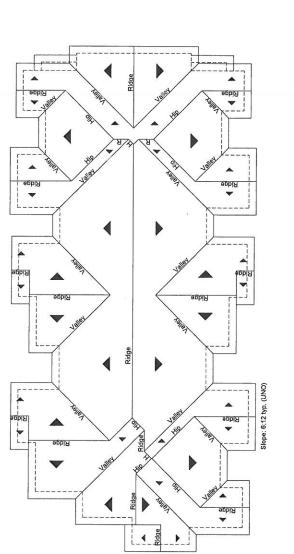


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South County Housing

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Buildings 3&4 Roof Plan A

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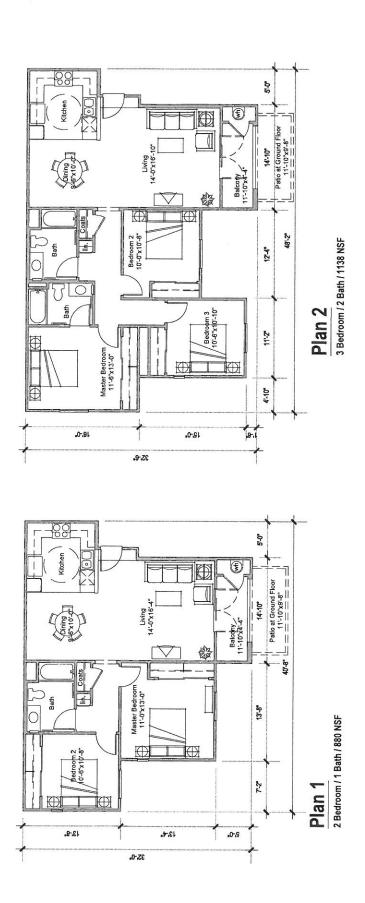
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Apartments

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South County Housing

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Plans

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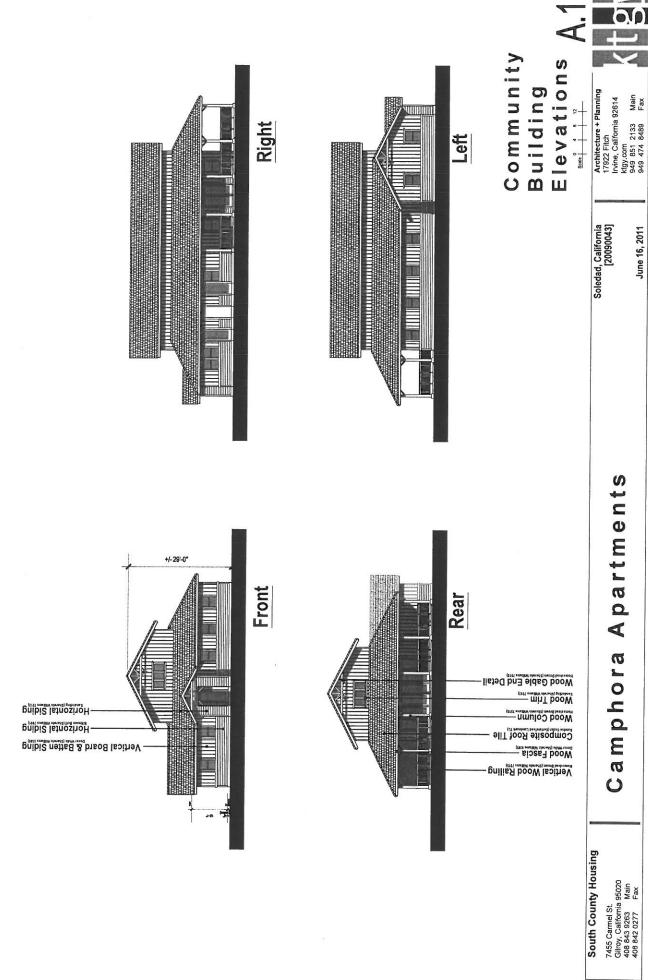
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Soledad, California [20090043]

June 16, 2011

Apartments Camphora

South County Housing 7455 Carmel St. Gilroy, California 95020 408 843 9263 Main 408 842 0277 Fax



June 16, 2011



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Community

Floor Plan

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Soledad, California [20090043]

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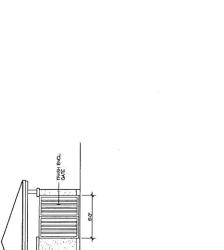
Roof Plan

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Camphora

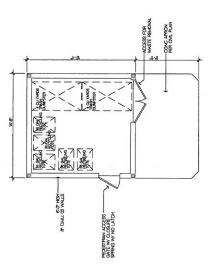
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Front

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Plan

Side

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Enclosure Trash

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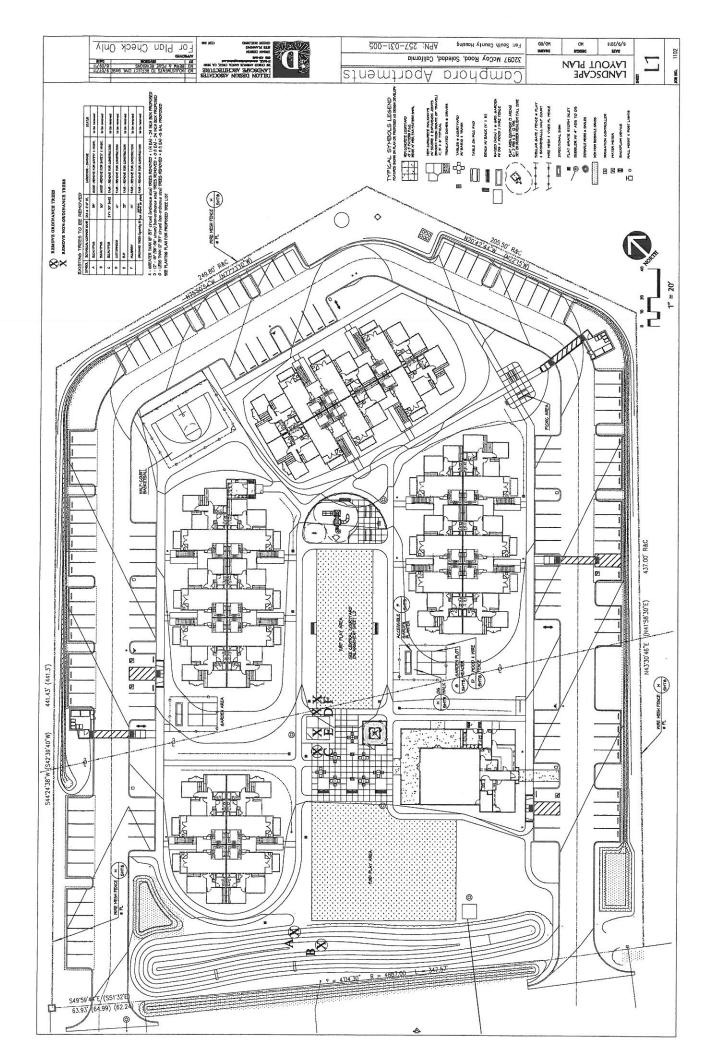
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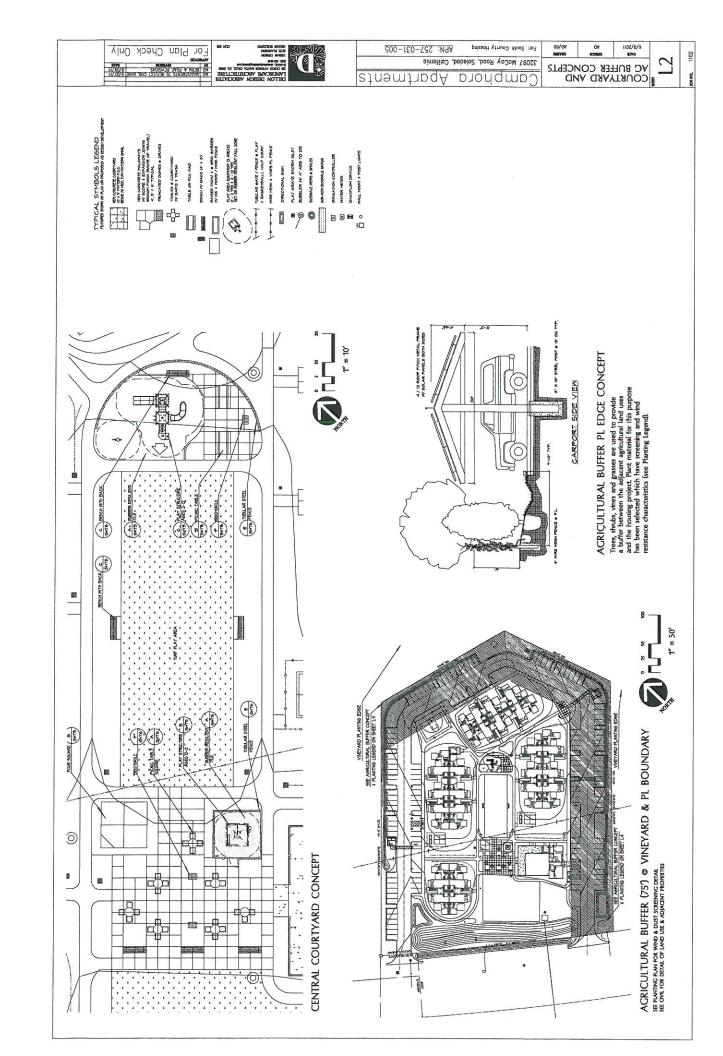
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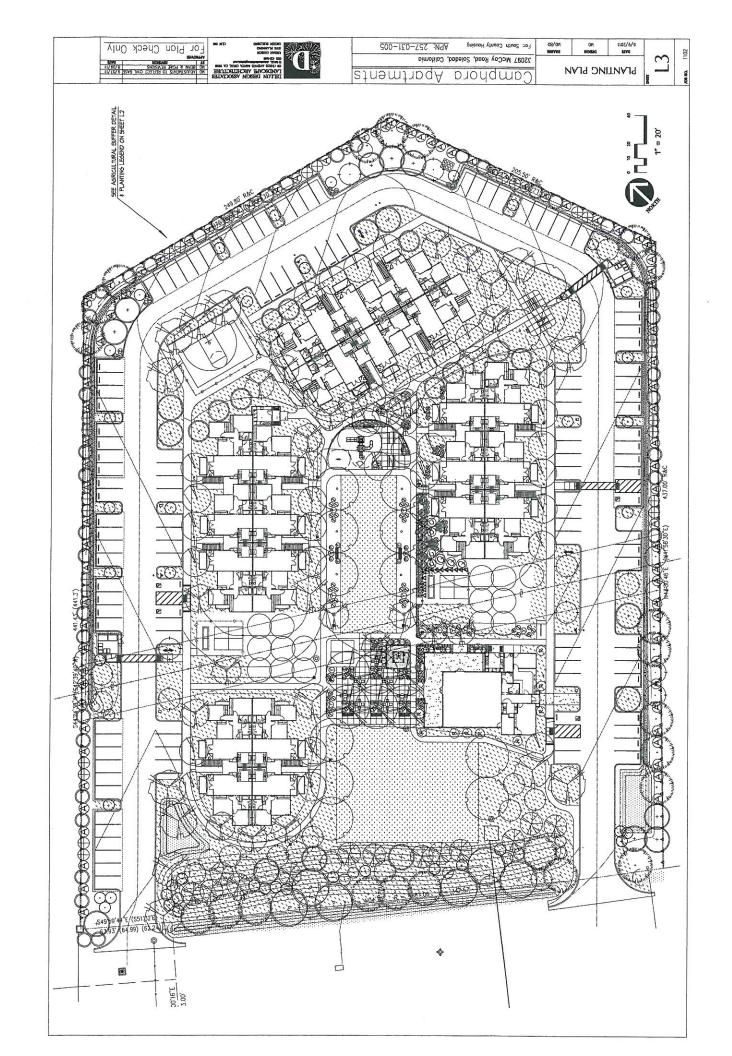
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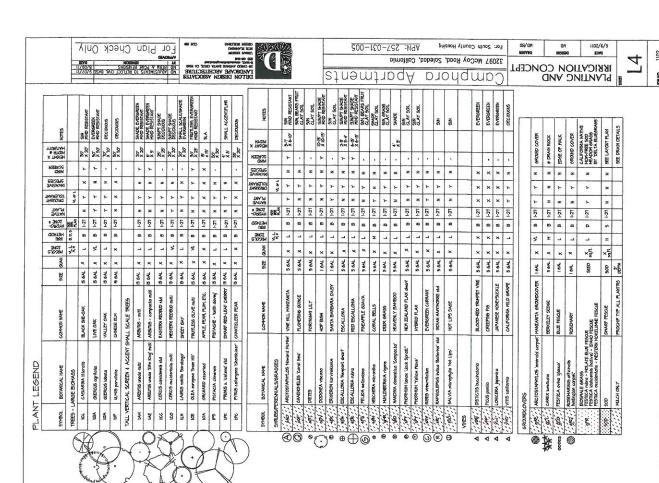
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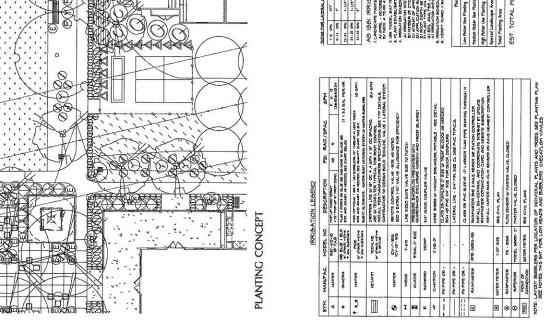
Camphora Apartments









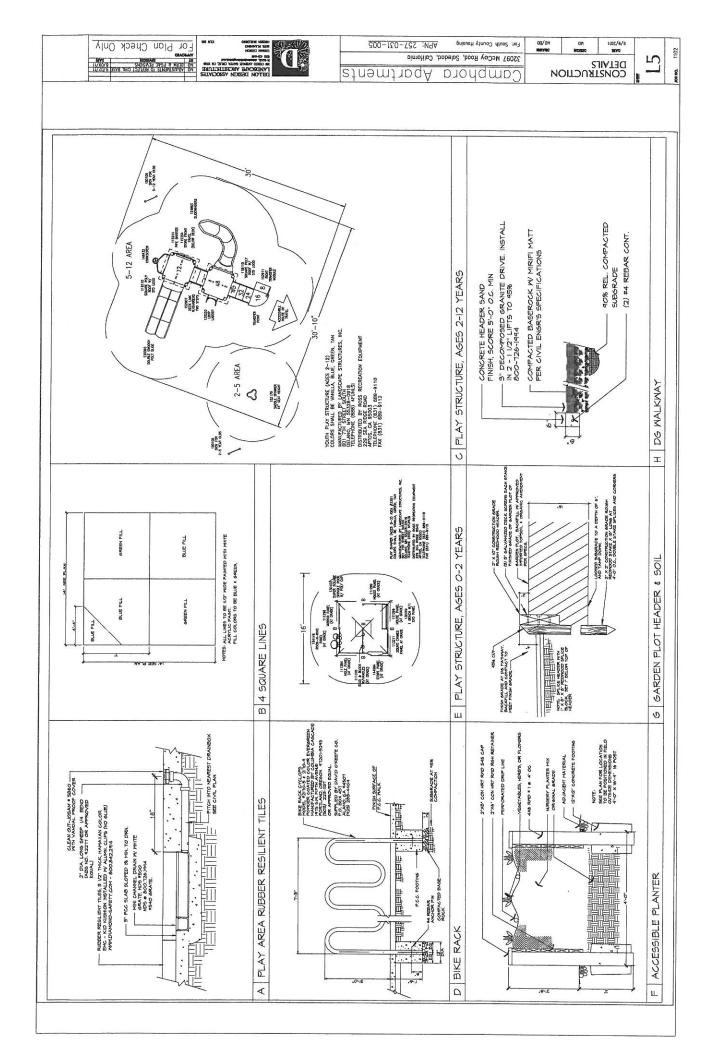


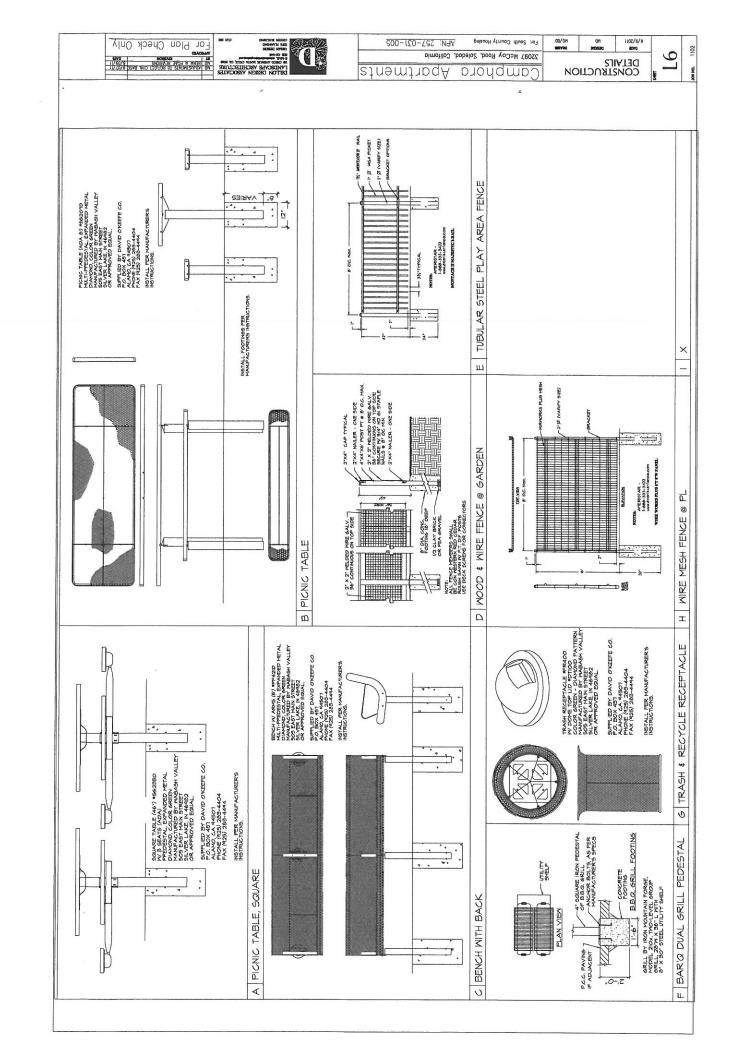
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Hedun Noter Use Mailing Areas (biosnale)	12,920 sq ft 14%	148
High Moter Use Plotting Areas (lurt)	12,000 sq. ft. 15%	*
Special Landscape Area (garden)	6,809 sq ft.	烂
Total Planting Area	43,010 sq ft 100%	800

IRRIGATION CONCEPT





D-2 Conditions of Approval

South County Housing Corporation (Camphora Apartments) PLN100446

Monterey County Planning Department

DRAFT Conditions of Approval/Mitigation Monitoring Reporting Plan

PLN100446

1. PD001 - SPECIFIC USES ONLY

Responsible Department:

Planning Department

Condition/Mitigation Monitoring Measure: This Use Permit (The Camphora Apartment Replacement Project) allows for the demolition of 44 substandard agricultural employee (farm worker) housing units; and the construction of 44 new agricultural employee (farm worker) housing units consisting of:

- a. 22 two-bedroom (880 square foot) and 22 three-bedroom (1,138 square foot) garden apartments;
- b. A 4,300 square foot community building with a meeting room, office, storage, laundry room and computer lab;
- c. A half-court basketball area, two turf-covered play areas, a tot lot, barbecue patio and seating area, and extensive landscaping;
- d. Solar panels placed on the covered parking areas;
- e. Grading of approximately 5,000 cubic yards of cut and 4,500 cubic yards of fill; and
- f. Connection to the City of Soledad sewer infrastructure.

The property is located at 32101 McCoy Road, Soledad (Assessor's Parcel Number 257-031-005-000), Central Salinas Valley Area Plan.

This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. The use permit does not go into effect unless and untill the rezoning of the property goes into effect. 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 the RMA - Planning Department. 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. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed:

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

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2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department:

Planning Department

Condition/Mitigation Monitoring Measure: The applicant shall record a notice which states: "A Zone Change and Use Permit (Resolution ______) was approved by the Board of Supervisors for Assessor's Parcel Number 257-031-005-000 on July 31, 2012. The permit was granted subject to 30 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed:

Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning Department.

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

Responsible Department:

Planning Department

Condition/Mitigation
Monitoring Measure:

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. The Monterey County RMA - Planning Department 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 the discovery. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed:

The Owner/Applicant shall adhere to this condition on an on-going basis. Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department 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.

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4. PD004 - INDEMNIFICATION AGREEMENT

Responsible Department:

Planning Department

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 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, 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.

(RMA - Planning Department)

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, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Director of RMA-Planning Department for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA-Planning Department.

5. PD005 - FISH AND GAME FEE NEG DEC

Responsible Department:

Planning Department

Condition/Mitigation Monitoring Measure: Pursuant to the State Public Resources Code § 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County. within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. (RMA - Planning Department)

Compliance or Monitorina Action to be Performed: Within 5 working days of project approval, the applicant shall submit a check, payable to the County of Monterey, to the Director of the RMA - Planning Department.

6. PD007- GRADING WINTER RESTRICTION

Responsible Department:

Planning Department

Condition/Mitigation Monitoring Measure: No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department. (RMA - Planning Department and Building Services Department)

Compliance or

Monitoring Action to be Performed: The Owner/Applicant, on an on-going basis, shall obtain authorization from the Director of RMA -Building Services Department to conduct land clearing or grading between October 15 and April 15.

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7. PD009 - GEOTECHNICAL CERTIFICATION

Responsible Department:

Planning Department

Condition/Mitigation Monitoring Measure: Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report.

(RMA - Planning Department and Building Services Department)

Compliance or Monitoring Action to be Performed:

Prior to final inspection, the Owner/Applicant/Geotechnical Consultant shall submit certification by the geotechnical consultant to the RMA-Building Services Department showing the project's

compliance with the geotechnical report.

8. PD010 - EROSION CONTROL PLAN

Responsible Department:

Planning Department

Condition/Mitigation Monitoring Measure:

The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA - Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services

Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, the Owner/Applicant shall submit an Erosion Control Plan to the RMA - Planning Department and the RMA - Building Services Department for review and approval.

The Owner/Applicant, on an on-going basis, shall comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.

9. PD012(G) - LANDSCAPE PLAN & MAINTENANCE (OTHER)

Responsible Department:

Planning Department

Condition/Mitigation Monitoring Measure:

The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. 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. The landscaping shall be installed and inspected prior to 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. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed:

The Landscape Plans as submitted, reviewed and approved by the County of Monterey, partially satisfy this condition. Prior to 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.

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10. PD014(A) ¿ LIGHTING ¿ EXTERIOR LIGHTING PLAN

Responsible Department:

Planning Department

Condition/Mitigation Monitoring Measure:

All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. (RMA ¿ Planning Department)

Compliance or Monitoring Action to be Performed:

Prior to the issuance of building permits, the Owner/Applicant shall submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.

Prior to occupancy and on an on-going basis, the Owner/Applicant shall ensure that the lighting is installed and maintained in accordance with the approved plan.

11. PD016 - NOTICE OF REPORT

Responsible Department:

Planning Department

Condition/Mitigation Monitoring Measure:

Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states that the following reports are on file with the Monterey County RMA - Planning Department:

- a. Geotechnical Engineering Report, South County Housing, Camphora Apartments, (LIB120132) Prepared by Earth Systems Pacific, dated January 25, 2011.
- b. Phase I Environmental Site Assessment, Camphora Labor Camp¿, (LIB120133) Prepared by Earth Systems Pacific, dated July 10, 2009.
- c. Additional Phase II Pesticide Testing, Camphora Apartments, (LIB120135) Prepared by Earth Systems Pacific, dated May I6, 2011.
- d. Phase II Addendum Arsenic (LIB120136) Prepared by Earth Systems Pacific, dated August 16, 2011.
- e. Trip Generation and Traffic Operations Study for the Proposed Camphora Residential Development, (LIB120137) Prepared by Hexagon Transportation Consultants, Inc., dated March 1, 2011.
- f. Phase I Archaeological Study for the Camphora Apartments, Project, (LIB120138) Prepared by Doane and Breschini, December 2010.
- g. Acoustical Analysis, Camphora Apartments, (LIB120139) Prepared by Brown-Buntin Associates, Inc., dated July 28, 2011.
- h. Preliminary Sewer Demand Calculations for Camphora Housing Redevelopment Project (Revised). (LIB120140) Prepared by Ifland Engineers, dated November 17, 2011.
- i. Relocation Plan, Camphora Apartments (LIB120143) Prepared by Autotemp, dated August 2010.

All development shall be in accordance with these reports. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed:

Prior to the issuance of grading and building permits, the Owner/Applicant shall submit proof of recordation of this notice to the RMA - Planning Department.

Prior to occupancy, the Owner/Applicant shall submit proof, for review and approval, that all development has been implemented in accordance with the report to the RMA - Planning Department.

12. PD032(A) - PERMIT EXPIRATION

Responsible Department:

Planning Department

Condition/Mitigation
Monitoring Measure:

The permit shall be granted for a time period of three years, to expire on July 31, 2015 unless use of the property or actual construction has begun within this period. (RMA-Planning

Department)

Compliance or Monitoring Action to be Performed:

Prior to the expiration date stated in the condition, the Owner/Applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30

days prior to the expiration date.

13. PD035 - UTILITIES UNDERGROUND

Responsible Department:

Planning Department

Condition/Mitigation
Monitoring Measure:

All new utility and distribution lines shall be placed underground. (RMA - Planning Department;

Public Works)

Compliance or Monitoring Action to be Performed:

On an on-going basis, the Owner/Applicant shall install and maintain utility and distribution lines

underground.

14. PD047 - DEMOLITION/DECONSTRUCTION (MBUAPCD RULE 439)

Responsible Department:

Planning Department

Condition/Mitigation Monitoring Measure: In accordance with Monterey Unified Air Pollution Control District Rule 439, construction plans shall include "Demolition and Deconstruction" notes that incorporate the following work practice standards:

- 1. Sufficiently wet the structure prior to deconstruction or demolition. Continue wetting as necessary during active deconstruction or demolition and the debris reduction process:
- 2. Demolish the structure inward toward the building pad. Lay down roof and walls so that they fall inward and not away from the building:
- 3. Commencement of deconstruction or demolition activities shall be prohibited when the peak wind speed exceeds 15 miles per hour.

All Air District standards shall be enforced by the Air District.

(RMA - Planning Department)

Compliance or Monitoring Action to be Performed:

Prior to the issuance of a demolition permit, if applicable, the Owner/Applicant/Contractor shall incorporate a "Demolition/Deconstruction" note on the demolition site plan that includes, but is not limited to, the standards set forth in this condition.

During demolition, the Owner/Applicant/Contractor shall obtain any required Air District permits and the Air District shall conduct all deconstruction or demolition activities as required by the Air District.

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EHSP01 - WATER SYSTEM IMPROVEMENTS (STATE PERMITTED SYSTEM)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure:

Design the water system improvements to meet the standards as found in Titles 17 and 22 of the California Code of Regulations and as found in the Residential Water Supply Standards.

(Environmental Health)

Compliance or Monitoring Action to be Performed:

Prior to installing system improvements submit engineered plans for the water system

improvements to EHB for review and approval.

16. EHSP02 - FIRE FLOW STANDARDS

Responsible Department:

Health Department

Condition/Mitigation Monitoring Measure: Design the water system improvements to meet fire flow standards as required and approved by

the local fire protection agency.

(Environmental Health)

Compliance or Monitoring

Action to be Performed:

Prior to installing system improvements submit plans for the proposed water system

improvements to the local fire protection agency for review and approval.

Submit a set of signed or wet-stamped water system plans approved by the local fire protection

agency to EHB for review and approval.

17. EHSP03 - ABANDON EXISTING ONSITE WASTEWATER TREATMENT SYSTEM(S)

Responsible Department:

Health Department

Condition/Mitigation Monitoring Measure:

The existing onsite wastewater treatment system (OWTS) currently serving 32101 McCov Rd. Soledad shall be demolished or abandoned pursuant to the standards found in Monterey County

Code (MCC), Chapter 15.20.090.

(Environmental Health)

Compliance or Monitoring

Prior to issuance of building permits apply for and obtain an OWTS Demolition permit for each

existing system from the Environmental Health Bureau. Action to be Performed:

Demolish or abandon the existing OWTS according to the standards found in MCC 15.20,090.

18. EHSP04 - SEWER SYSTEM IMPROVEMENT DESIGN

Responsible Department:

Health Department

Condition/Mitigation Monitoring Measure: Engineered plans for the sewer system including all necessary redundancies shall be submitted to and approved by the City of Soledad. Plans shall be in conformance with Monterey County Code, Chapter 19.13 and the California Plumbing Code, Title 24 part 5 of the California Code of

Regulations. (Environmental Health)

Compliance or Monitoring

Prior to issuance of building permits submit plans to the City of Soledad for review and approval.

Action to be Performed:

Submit written verification from the City of Soledad to the Environmental Health Bureau that plans

have been reviewed and approved.

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19. PW0001 - ENCROACHMENT (COM)

Responsible Department: Public Works Department

Condition/Mitigation
Monitoring Measure:

Obtain an encroachment permit from the Department of Public Works and construct a commercial driveway connection to McCoy Road and all necessary improvement along the entire frontage of property. The design and construction is subject to the approval of the Public

Works Director. (Public Works)

Compliance or Monitoring Action to be Performed: Prior to Building/Grading Permit Issuance Owner/Applicant shall obtain an encroachment permit

from DPW.

Improvements are to be completed prior to final of Building permit. Applicant is responsible to obtain all permits and environmental clearances.

20. PW0007 - PARKING STD

Responsible Department: Public Works Department

Condition/Mitigation
Monitoring Measure:

The parking shall meet the standards of the Zoning Ordinance and be approved by the Director

of Public Works and the Director of Planning and Building Inspection. (Public Works)

Compliance or Monitoring Action to be Performed:

Prior to Building/Grading Permits Issuance the Applicant's engineer or architect shall prepare a

parking plan, Owner/Applicant/Engineer to submit plans for review and approval.

21. PW0008 - DEDICATION

Responsible Department: Public Works Department

Condition/Mitigation
Monitoring Measure:

Dedicate to the County of Monterey, additional 10 feet along the entire frontage of the property

on McCoy Road for street and right-of-way purposes. (Public Works)

Compliance or Monitoring Action to be Performed: Prior to Building/Grading Permits issuance the Applicant's surveyor shall prepare description of

area to be dedicated. DPW can prepare deed.

22. PW0043 - REGIONAL DEVELOPMENT IMPACT FEE

Responsible Department: Public Works Department

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 Department of Public Works.

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23. PW0044 - CONSTRUCTION MANAGEMENT PLAN

Responsible Department:

Public Works Department

Condition/Mitigation
Monitoring Measure:

The applicant shall submit a Construction Management Plan (CMP) to the RMA-Planning Department and the Department of Public Works for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project and shall provide the following information: Duration of the construction, hours of operation, an estimate of the number of truck trips that will be generated, truck routes, number of construction workers, parking areas for both 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 RMA-Planning Department and the Department of Public Works 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.

24. PWSP01 - NON-STANDARD (IMPROVEMENTS)

Responsible Department:

Public Works Department

Condition/Mitigation
Monitoring Measure:

Construct McCoy Road to cul-de-sac street standards along the property frontage. (Public

Vorks)

Compliance or Monitoring Action to be Performed:

1. Owner/Applicant/Engineer shall submit improvement plan prepared by a Register Civil Engineer to construct improvements along property frontage prior to Building permit for review and approval by the Department of Public Works.

2. Owner/Applicant shall construct improvements prior to final of Building permit.

25. PWSP02 - NON-STANDARD (SIGNAGE)

Responsible Department:

Public Works Department

Condition/Mitigation
Monitoring Measure:

Install W70 CA signage upstream of the intersection along Gloria-Camphora Road and cross-traffic does not stop W4-wp signage at the McCoy Road approach and as directed by the Department of Public Works. (Public Works)

Compliance or Monitoring Action to be Performed:

Owner/Applicant shall install all signage prior to final of Building permit.

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26. WRSP1 - STORMWATER DETENTION (NON-STANDARD CONDITION)

Responsible Department:

Water Resources Agency

Condition/Mitigation
Monitoring Measure:

The applicant shall provide a drainage plan, prepared by a registered civil engineer, addressing on-site and off-site impacts. The plan shall include detention facilities to mitigate the impact of impervious surface stormwater runoff. The plan shall also include oil/grit separators for paved parking areas. Supporting calculations and construction details shall also be provided. Pond(s) shall be fenced for public safety. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to issuance of any construction permit, the owner/applicant shall submit a drainage plan with the construction permit application.

The Building Services Department will route a plan set to the Water Resources Agency for review and approval.

27. WRSP2 - COMPLETION CERTIFICATION (NON-STANDARD CONDITION)

Responsible Department:

Water Resources Agency

Condition/Mitigation
Monitoring Measure:

The applicant shall provide certification from a registered civil engineer or licensed contractor that stormwater detention facilities have been constructed in accordance with the approved drainage plan. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to final inspection, the owner/applicant shall submit a letter to the Water Resources Agency prepared by a registered civil engineer or licensed contractor.

28. RHO001 - Affordable Housing Agreement

Responsible Department:

Redevelopment

Condition/Mitigation Monitoring Measure: (Non-Standard Condition) Prior to issuance of the Use Permit, the applicant shall execute an Affordable Housing Agreement with the County, in a form acceptable to the Economic Development Director, that restricts the rents charged for the housing units to be affordable to very low- and low-income households earning not more than 60% of the County's Area Median Income (AMI). The term of affordability will be fifty five (55) years, consistent with the various state funding sources that are anticipated. Other provisions such as income qualification of the tenants and monitoring shall be as consistent with the County's Inclusionary Housing Program as possible, dependent on the ultimate funding sources. (Economic Development Dept.)

Compliance or Monitoring Action to be Performed:

The applicant shall execute an Affordable Housing Agreement with the County, in a form acceptable to the Economic Development Director, that restricts the rents charged for the housing units to be affordable to very low- and low-income households earning not more than 60% of the County's Area Median Income (AMI).

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29. FIRE012 - EMERGENCY WATER STANDARDS - WATER SYSTEMS

Responsible Department:

Fire

Condition/Mitigation Monitoring Measure:

The emergency water system shall be available on-site prior to the completion of road construction, where a community water system is approved, or prior to the completion of building construction, where an individual system is approved. Approved water systems shall be installed and made serviceable prior to the time of construction. Water systems constructed, extended or modified to serve a new development, a change of use, or an intensification of use, shall be designed to meet, in addition to average daily demand, the standards shown in Table 2 of the Monterey County General Plan, NFPA Standard 1142, or other adopted standards. The quantity of water required pursuant to this chapter shall be in addition to the domestic demand and shall be permanently and immediately available Responsible Land Use Department: Mission Soledad Fire District.

Compliance or Monitoring Action to be Performed:

- 1. Prior to issuance of permit, the applicant or owner shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.
- 2. Prior to final building inspection, the applicant or owner shall schedule a fire dept. clearance inspection for each phase of development.

30. PDSP01 - OBTAIN ALL NECESSARY APPROVALS

Responsible Department:

Planning Department

Condition/Mitigation Monitoring Measure:

Prior to issuance of demolition or building permits, the applicant must obtain all necessary approvals to enable the City of Soledad to provide sewer service to the project. The Applicant shall submit evidence of such approvals to the COunty of Monterey.

Compliance or Monitoring Action to be Performed:

Prior to issuance of demolition or building permits, the applicant shall submit to the County of Monterey evidence of approval from the City of Soledad and LAFCO that extraterritorial sewer service can and will be provided to the subject property.

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