

# Attachment B

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

**Resolution No.**

Resolution of the Monterey County Board of Supervisors )  
to: )  
a. Deny the appeal by Nancy B. Ausonio from the )  
Planning Commission’s approval of a Combined )  
Development Permit (Mohssin/Urban Housing )  
Communities/PLN150730) consisting of: 1) Use Permit )  
to allow the construction of a 36,000 square foot (42- )  
unit; 36 one-bedroom units and 6 two-bedroom units) )  
supportive housing complex to serve homeless and )  
disabled veterans 3,300 square foot community center )  
building; 2) Use Permit to allow a reduction in the )  
required parking from 97 spaces to 47 spaces; and 3) )  
Design Approval; and )  
b. Find the Project Consistent with a Community Plan for )  
which an EIR was certified (CEQA Guidelines Section )  
15183); and )  
c. Approve a Combined Development Permit )  
(Mohssin/Urban Housing Communities/PLN150730) )  
consisting of: 1) Use Permit to allow the construction of )  
a 36,000 square foot (42-unit; 36 one-bedroom units and )  
6 two-bedroom units) supportive housing complex to )  
serve homeless and disabled veterans and 3,300 square )  
foot community center building; 2) Use Permit to allow )  
a reduction in the required parking from 97 spaces to 47 )  
spaces; and 3) Design Approval. )  
[Combined Development Permit – PLN150730/Mohssin )  
(Urban Housing Communities), South of Poole Street and )  
Merritt Streets (State Highway 183) in Castroville, )  
Castroville Community Plan and North County Non- )  
Coastal Area Plan (APN: 030-171-001-000)] )

The appeal by Nancy B. Ausonio from the Planning Commission’s approval of the Combined Development Permit (Mohssin/ Urban Housing Communities /PLN150730) came on for public hearing before the Monterey County Board of Supervisors on February 9 and February 23, 2016. 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:** **PROJECT DESCRIPTION** – The proposed project is a Combined Development Permit consisting of: 1) Use Permit to allow the construction of a 36,000 square foot (42-unit; 36 one-bedroom units and 6 two-bedroom unit) supportive housing complex to serve homeless and disabled veterans and 3,300 square foot community center building; and 2) Use Permit to allow a reduction in the required parking from 97 spaces to 47 spaces; and 3) Design Approval. For this particular project, the property owner (Idris Mohssin) is submitting an application

on behalf of the “Applicant/Operator” which is Urban Housing Communities.

**EVIDENCE:** The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN150730.

2. **FINDING:** **CONSISTENCY/SITE SUITABILITY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development. The site is physically suitable for the use proposed.

**EVIDENCE:** 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;
- Castroville Community Plan; and
- North County Non-Coastal Area Plan;
- 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 South of Poole and Merritt Streets (State Highway 183) in Castroville. The proposal is consistent with the Castroville Community Plan land use plan designation of MU-C, which allows residential and commercial, office and/or public uses on the same site or in the same building (primarily retail, office, and/or public uses to encourage activity centers and pedestrian orientation).
- c) The parcel is zoned CP (Community Plan) which implements the Community Plan land use designation of Mixed Use which allows a 36,000 square foot (42-unit; 36 one-bedroom units and 6 two-bedroom unit) apartment veterans housing complex and 3,300 square foot community center building, on a 1.5 acre lot subject to approval of Use Permit and Design Approval. Therefore the project is an allowed land use for this site.
- d) The project planner conducted a various site inspections to verify that the project on the subject parcel conforms to the plans listed above.
- e) Design Approval – The Castroville Community Plan Policy 2.2 requires that new development including infill development, be reviewed subject to the appropriate Community Plan Architectural Design Guidelines (Appendix A) and Development Standards (Appendix B) to ensure quality of design and compatibility. The proposed construction materials and color palette is consistent with the Design Guidelines and Development Standards.
- f) The Architectural Design Guidelines of the Castroville Community Plan allow contemporary designs when the development is not in close proximity to existing historical buildings with identifiable architectural styles. This site is not in proximity to any historic building and uses a contemporary architectural style.
- g) The Architectural Design Guidelines of the Castroville Community Plan require the use of high quality materials. The stucco exterior walls, iron balcony rails, and concrete “S” tile shingle roof are consistent with this requirement.
- h) Reduction of Parking – The project proposes shared parking of 47 parking spaces to accommodate the 42 unit housing complex and

community center. Per Monterey County Code (MCC), a 42 unit apartment complex would require a total of 97 parking spaces [1.5 spaces for each one-bedroom unit ( $1.5 \times 36 = 54$ ), 2 spaces for each two-bedroom unit ( $2 \times 6 = 12$ ), 1 guest space/every 4 units ( $1 \times 42/4 = 11$ ), and 1 space for every 4 seats of the Community Center ( $1 \times 80/4 = 20$ )]. The applicant is requesting a reduction in parking via a Use Permit (pursuant to MCC Section 21.58.050.C). The project is intended to house disabled, home-less, and handicapped veterans, who generally do not own and/or operate motor vehicles, and the primary users of the community center would be persons residing on site; therefore the provision of parking for both the residential complex and the community center, as separate parking generating uses, would create a redundancy of parking, and would result in the project site being “over-parked”. In other facilities operated by the applicant, many of the residents do not own vehicles, and thus parking is not needed for resident vehicles. The 47 proposed parking stalls, including 3 accessible stalls, provides 1 space per residential unit, with 5 spaces for visitors and employees.

- i) The project was referred to the Castroville Citizen’s Advisory Committee (CAC) for review on December 7, 2015. The LUAC recommended denial of the proposed project, because “Castroville does not have appropriate infrastructure in place”, by a 5-0 vote (1 person absent). The LUAC cited concerns regarding pedestrian crossing safety and existing on- and off-street parking problems within Castroville as a whole.
- j) The project has been reviewed for site suitability by the following departments and agencies: RMA- Planning, North County Fire Protection District; RMA-Public Works Department; RMA- Environmental Services; Economic Development Department (Jane Barr); Environmental Health Bureau; and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
- k) Staff identified potential impacts to Biological Resources, Archaeological Resources, and Soil Stability. The following reports have been prepared:
  - “Biological Survey for the Idris Mohssin Property on July 27, 2007” (LIB100083) prepared by Ed Mercurio, Salinas, California, dated July 27, 2007.
  - “Biological Survey for the Idris Mohssin Property on May 2, 2008” (LIB100081) prepared by Ed Mercurio, Salinas, California, dated May 2, 2008.
  - “Preliminary Cultural Resources Reconnaissance of APN: 030-171-001-000 Located at Poole Street South of Merritt Street, Castroville, Monterey County, California” (LIB080509) prepared by Lynne Mounday, M.A., dated July 8, 2008.
  - “Geotechnical Investigation for Proposed Residential Building Sub Sites #1 and #4 at Merritt Street at Poole Street, Castroville, CA 95012” (LIB070062) prepared by Ali M. Oskooruchi, Ph.D., P.E., G.E., dated November 21, 2006.
  - “Geotechnical Investigation for Proposed Residential Building Sub Site #5 and #6 at Merritt Street at Poole Street, Castroville, CA

95012” (LIB070063) prepared by Ali M. Oskooruchi, Ph.D., P.E., G.E., dated November 21, 2006.

- “Reconnaissance of Geologic Investigation, Lands of Mohssin, Merritt and Poole Streets, Monterey County, California” prepared by UPP Geotechnology, Inc.” (LIB070061) dated December 27, 2006.
- “Phase 1 Environmental Site Assessment” (LIB100102) prepared by Environmental Investigations, Inc., dated April 5, 2009.

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.

- 1) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN150730.

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.

- EVIDENCE:**
- a) The project was reviewed by the RMA - Planning, North County Fire Protection District; RMA-Public Works Department; RMA-Environmental Services; Economic Development Department; Environmental Health Bureau; and Water Resources Agency. 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. The applicant has agreed to these conditions as evidenced by the application and accompanying materials and conditions.
  - b) Necessary public facilities are available. The project would not require the construction of new water or waste treatment facilities. Water is provided by the Castroville Community Services District which has adequate capacity and the ability to serve the project. Additionally, the Castroville Community Services District issued a letter dated November 9, 2015 which confirms that the subject parcel can be connected to the sewer main and served.
  - c) See preceding and following Findings and Evidence.

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

- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning and Building Services Department records and is not aware of any violations existing on subject property.
  - b) Staff conducted a various site inspections and researched County records to assess if any violation exists on the subject property.

5. **FINDING:** **CEQA (Previously Certified EIR):** - An EIR was prepared and certified for the Castroville Community Plan. The FEIR adequately addresses all impacts associated with the proposed project, and no additional environmental review is necessary.
- EVIDENCE:**
- a) In April 2007, the Board of Supervisors adopted the Castroville Community Plan (CCP), which is intended to guide future growth and development within the Plan boundaries. The CCP was approved after the Board of Supervisors certified a Final EIR for build out of the Plan area. The subject site is within the Merritt Street Opportunity Area as defined in the Castroville Community Plan.
  - b) In October 2010, the Board of Supervisors adopted a countywide General Plan (2010 Monterey County General Plan) which incorporated the North County Area Plan (Chapter 9.G). The General Plan recognizes Castroville as a “Community Area”.
  - c) CEQA Section 21083.3 (a) states: *If a parcel has been zoned to accommodate a particular density of development or has been designated in a community plan to accommodate a particular density of development and an environmental impact report was certified for that zoning or planning action, the application of this division to the approval of any subdivision map or other project that is consistent with the zoning or community plan shall be limited to effects upon the environment which are peculiar to the parcel or to the project and which were not addressed as significant effects in the prior environmental impact report, or which substantial new information shows will be more significant than described in the prior environmental impact report.*
  - d) The project is consistent with the development density established by the Community Plan. The 42 units proposed on 1.5 acres is between the 15 and 30 units per acre specified in the Community Plan.
  - e) The project is required to pay impact mitigation fees as specified in the Castroville Community Plan to mitigate impacts to Traffic.
  - f) A series of studies were conducted (see Finding 3, evidence k above) which demonstrate that there were not any environmental impacts peculiar to the proposed project or the project site, the project does not create additional environmental impacts which were not analyzed in the prior EIR prepared for the Castroville Community Plan, does not result in significant off-site impacts and/or cumulative impacts which were not discussed in the prior EIR, and that there is not substantial new information showing impacts more significant than described in the Castroville EIR. The project site is classified within the Castroville Community Plan as “Mixed Use” which allows a mixture of both residential and commercial/public uses. The proposed supportive housing project provides both residential and public uses, and is consistent with all policies and regulations within the 2010 General Plan and Castroville Community Plan.

6. **FINDING:** **PRIOR EIR MITIGATION MEASURES** – Mitigation Measures in the prior EIR that apply to the project’s specific effects and that were found to be feasible will be undertaken.
- EVIDENCE:**
- a) The Castroville Community Plan (CCP) identified mitigation measures related to impacts to the surrounding communities relating to additional

traffic within the CCP area. The CCP (FEIR Mitigation Measure MM3.14-1b) requires the payment of a project's "fair share" of traffic impacts fees calculated on a per trip basis. Pursuant to this requirement, Monterey County developed the Castroville Community Plan Development Impact Fee (CCPDIF) to mitigate and fund traffic improvements. This fee has been applied to projects on an ad hoc basis.

- b) This project has been conditioned to pay into the CCPDIF, and is subject to fair share payment of impact fees based on a per trip basis.
- c) The payment of CCPDIF fees mitigates traffic generated by the proposed project as the generated fees will be spent on improvements envisioned by the Castroville Community Plan.

7. **FINDING:** **PROCEDURAL BACKGROUND** – The project has been processed in compliance with County regulations, and due process has been afforded to the applicant and the public.

- EVIDENCE:**
- a) On October 9, 2015, Idris Mohssin filed an application with Monterey County RMA-Planning for a Combined Development Permit (PLN150730) consisting of 1) a Use Permit to allow the development of 36,000 square foot (42 unit; 36 one-bedroom units and 6 two-bedroom units) apartment veterans housing complex and a 3,300 square foot community center building; 2) Use Permit to allow a reduction in the required parking from 97 spaces to 47 spaces; and 3) Design Approval.
  - b) The Combined Development Permit (PLN150730) was deemed complete on November 20, 2015.
  - c) The project was brought to public hearing before the Monterey County Planning Commission on December 9, 2015. On December 9, 2015, the Planning Commission found the project consistent with a Community Plan for which an EIR was certified (CEQA Guidelines 15183) and approved the Combined Development Permit (PC Resolution No. 15-053).
  - d) An appeal from the Planning Commission's approval of the Combined Development Permit was timely filed by Nancy B. Ausonio ("appellant") on December 21, 2015.
  - e) The Board of Supervisors opened the public hearing on the appeal on February 9, 2016, and continued the hearing to February 23, 2016, without objection from applicant or appellant. At least 10 days prior to the February 9, 2016 public hearing, notices of the public hearing were published in the *Monterey County Weekly* and were posted on and near the property and mailed to the property owners within 300 feet of the subject property as well as interested parties.
  - f) Staff Report, minutes of the Planning Commission and Board of Supervisors, information and documents in Planning file PLN150730, documents in the files of the Clerk of the Board.

8. **FINDING:** **APPEAL AND APPELLANT CONTENTIONS** – The appellant requests that the Board of Supervisors grant the appeal and deny the Combined Development Permit application (PLN150731). The appeal alleges: the findings or decision or conditions are not supported by the evidence and the decision was contrary to law. *The contentions are listed below with responses.* The Board of Supervisors finds that there is no substantial evidence to support the appeal and makes the following findings regarding the appellant's contentions.



**Contention 1 – Unclear application of Conditions of Approval.**

The appellant contends the following are examples of the unclear application of conditions of approval.

- a) *Condition PW007 – Parking Standard (Condition No. 30) – The appellant’s understanding is that the county standard has been waived (due to granting reduction in required parking.) The appellant cites the following language regarding consistency with the Castroville Community Plan:*
  - 1) *Page 259 -Requirements for the Downtown Merritt Street Opportunity Area - requirement of the applicant “...to ensure that adequate parking is provided as new development occurs in the downtown area...” and “The project applicant(s) within the Merritt Street Corridor Opportunity Area shall provide adequate parking for proposed uses if parking demand cannot be met by existing facilities.”*
  - 2) *Page 184 – Circulation Plan – Public Parking – “...development proposed in the downtown are expected to provide adequate on-site parking or participate in the funding of off-site, off street parking lots” and “implementation of the Plan requires that adequate parking is provided as new development occurs....”*

**Response:**

The referenced Condition (PW007 – Parking Standard) is not related to granting the Use Permit for reduction of parking, or the amount of required parking spaces. The condition is relative to the design and layout of the spaces being provided, and requires each space be designed of adequate size and spacing, and that adequate vehicular circulation within the parking area be provided. The condition requires that a parking plan (in this case consisting of 47 spaces) be provided to the Director of Public Works and Director of RMA-Planning for review and approval, prior to issuance of building and/or grading permits.

The Planning Commission granted the project applicant a Use Permit for the reduction of required parking, due to the proposed nature of residents within the housing complex (disabled, home-less, and handicapped veterans, who generally do not own and/or operate motor vehicles). In granting the Use Permit to reduce the number of required parking spaces, the Planning Commission determined that the project did provide “adequate parking” for the new development and for the proposed use(s) of the project site. The sharing of 47 parking stalls, including 3 accessible stalls, for 42 housing units, provides 1 space per residential unit, with 5 spaces for visitors and employees. The Planning Commission determined this was adequate parking since the population targeted to reside in the complex generally does not own or operate motor vehicles. The granting of the Use Permit to allow a reduction in the required number of parking spaces, and the amount of parking spaces provided are consistent with the cited language and intent of the policies within the Castroville Community Plan which is to provide adequate parking. Additionally, the Monterey County Zoning Ordinance (Section 21.58.050.C) allows reductions in parking

provisions, subject to the issuance of a Use Permit, which was granted by the Planning Commission for the number of parking spaces proposed.

*b) Condition PW0043 – Regional Development Impact Fee (Condition No. 32) – The appellant contends that the Castroville Community Plan requires additional fees not listed in the conditions of approval applied to the project, such as:*

- 1) The Castroville Community Plan Development Impact Fee; and*
- 2) The establishment or payment into a benefit assessment district or other mechanism to ensure “that new development that is required to improve the Tembladero and Castroville Sloughs shall work with the County and the Monterey County Water Resources Agency to ensure that ongoing operations and maintenance of the improved facilities are adequately funded....”*

**Response:**

The appellant does not describe, explain or substantiate how the Condition PW0043 is inadequate. This condition requires the applicant to pay the Regional Development Impact Fee (RDIF) to help fund required regional traffic improvements. The lack of specificity and vague, sweeping nature of the contention deprives the County of the opportunity to respond to this portion of the contention.

The appellant is correct that additional impact fees, namely the Castroville Community Plan Development Impact Fee is required to be applied to all projects within the Castroville Community Plan. This condition was originally not applied to the project prior to consideration by the Planning Commission, and has since been applied to the project for the de novo hearing before the Board of Supervisors. The application of this condition does not change or require a re-design of the project. The payment of CCPDIF fees mitigates traffic generated by the proposed project as the generated fees will be spent on improvements envisioned by the Castroville Community Plan. This condition has been added to the recommended conditions of approval as Condition 15.

The Tembladero slough is located on/near the south-western boundary of the project site, however the proposed project does not involve development that will impact or alter the Tembladero Slough. The Castroville Community Plan, Mitigation Measure MM 3.4-8b calls for the preparation and implementation of a slough enhancement plan for the Tembladero Slough and requires project applicants within the Merritt Street Opportunity Area to contribute fees into an adopted development impact fee fund. At this time, the slough enhancement plan and associated impact fee program has not been developed and/or adopted. However, the proposed project was routed to Monterey County Water Resources Agency (MCWRA) for review regarding water/flood flow impacts, and any other hydrologic related impacts (including impacts to the Tembladero Slough), and MCWRA applied conditions as deemed necessary. During review from MCWRA no

indication of impact(s) to the slough or floodway fringe or floodway were identified.

- c) *Condition PW0045 – Countywide Traffic Impact Fee – (Condition 33) – The appellant contends that the Castroville Community Plan requires additional preparation of a traffic impact analysis for future development within each Opportunity Area prior to approval of any General Development Plan or discretionary approval. The appellant also cites language from the Castroville Community Plan Circulation Plan (page 183) that states: “no new substantial development can occur in Castroville until additional capacity is available at the Highway 1/183 and 183/156 intersections.”*

**Response:**

The appellant does not describe, explain or substantiate how the Condition PW0045 is inadequate. This condition requires the applicant to pay the Countywide Traffic Fee to help fund required countywide traffic improvements. The lack of specificity and vague, sweeping nature of the contention deprives the County of the opportunity to respond to this portion of the contention.

The project was not required to submit a project specific traffic impact analysis, and was processed as consistent with the Castroville Community Plan EIR. As part of the adoption of the Castroville Community Plan, the Castroville Community Plan Development Impact Fee Program (CCPDIF) was developed to mitigate and fund traffic improvements. This fee has been applied to projects on an ad hoc basis. This project has been conditioned to pay into the CCPDIF, and is subject to fair share payment of impact fees based on a per trip basis. The payment of CCPDIF fees mitigates traffic generated by the proposed project as the generated fees will be spent on improvements envisioned by the Castroville Community Plan.

The purpose of the CCPDIF is to fund future traffic improvement programs within the Castroville community; therefore the project is contributing to the funding mechanism required to add additional capacity to the regional and local roadways, which could include the intersections of Highway 1/183 and 183/156 intersections.

- d) *Condition PD041 – Height Verification (Condition No. 11) – The appellant states that no netting has been placed to show the height of the building prior to approval, which is usually done prior to meetings or approval to alert the community of new construction. Appellant further contends that Castroville has become saturated with large apartment buildings, therefore losing its grassroots community and identity.*

**Response:**

The appellant does not describe, explain or substantiate how the Condition PD041 is inadequate. However, the appellant is correct that the site was not flagged and staked for this proposal prior to the meeting

of the Castroville LUAC and/or prior to consideration by the Planning Commission. Pursuant to the adopted Flagging/Staking Criteria (Board Resolution No. 09-360), projects shall be flagged/staked if the project site is designated with Design Control (“D”) or Visual Sensitivity (“VS”) overlay; if the project planner determines the project to have the potential to create an adverse visual impact; and/or if the project involves a Variance request to height restrictions. The site was not flagged and staked, as the project site does not contain a “D” or “VS” overlay. Furthermore, the current proposal is smaller in scale and density than an existing development entitlement; therefore would not create an adverse visual impact. Additionally, the project, as proposed (40 feet for apartment; 20 feet for community center), is consistent with the 42 foot height limitation within the Castroville Community Plan, and does not require a Variance to height restrictions. Condition PD041 was applied to the conditions to ensure that the apartment structure is not constructed to a height of more than 40 feet from existing grade.

Relative to the contention regarding saturation of large apartment buildings within Castroville. The Castroville Community Plan does seek to allow a higher density of development to encourage pedestrian and opportunities for multi-modes of transportation. The project is not seeking a deviation from that encouraged by the Community Plan.

**Contention 2 – The Decision is Contrary to Law.**

*The appellant contends that the approval of the project did not comply with the Castroville Community Plan and no evidence is provided to support the parking reduction.*

**Response:**

The appellant does not specifically state how and/or why the project does not comply with the Castroville Community Plan and does not specifically state how there is no evidence to support the parking reduction.

Evidence (h) of Finding 2 specifically addresses the request to reduce the number of parking spaces. This evidence states:

*“The applicant is requesting a reduction in parking via a Use Permit (pursuant to MCC Section 21.58.050.C). The project is intended to house disabled, home-less, and handicapped veterans, who generally do not own and/or operate motor vehicles, and the primary users of the community center would be persons residing on site; therefore the provision of parking for both the residential complex and the community center, as separate parking generating uses, would create a redundancy of parking, and would result in the project site being “over-parked”. In other facilities operated by the applicant, many of the residents do not own vehicles, and thus parking is not needed for resident vehicles. The 47 proposed parking stalls, including 3 accessible stalls, provide 1 space per residential unit, with 5 spaces for visitors and employees.”*

**Contention 3 – The Findings or Evidence or Conditions are Not**

**Supported by the Evidence.**

*The appellant contends that parking was reduced without consideration of the requirements of the Castroville Community Plan; required traffic fees not implemented; and required mitigation measures related to the Merritt Street Corridor Opportunity Area were not implemented.*

**Response:**

The rationale for the reduction in parking has been addressed above.

See Response to Contentions 1a and Response to Contention 2 above.

See Response to Contention 1b and 1c above regarding implementation and application of traffic impact fees.

The project is consistent with the goals, policies and implementation regulations contained within the Castroville Community Plan. Mitigation Measures within the Castroville Community Plan pertaining to the Merritt Street Opportunity Area require payment of fees into the Castroville Community Plan Development Impact Fee. This requirement/condition has been added to the project (Condition 15).

See Response to Contention 1b regarding Mitigation Measures regarding the Tembladero Slough which is adjacent to the project site.

**DECISION**

NOW, THEREFORE, BASED ON ALL OF THE ABOVE FINDINGS AND EVIDENCE AND BASED ON THE RECORD AS A WHOLE, BE IT RESOLVED, that the Board of Supervisors does hereby:

- a. Deny the appeal by Nancy B. Ausonio from the Planning Commission's approval of a Combined Development Permit (Mohssin/Urban Housing Communities/PLN150730) consisting of: 1) Use Permit to allow the construction of a 36,000 square foot (42-unit; 36 one-bedroom units and 6 two-bedroom units) supportive housing complex to serve homeless and disabled veterans 3,300 square foot community center building; 2) Use Permit to allow a reduction in the required parking from 97 spaces to 47 spaces; and 3) Design Approval; and
- b. Consider the FEIR for the Castroville Community Plan and find that no additional environmental review is needed based on the findings set forth above; and
- c. Approve a Combined Development Permit (Mohssin/Urban Housing Communities/PLN150730) consisting of: 1) Use Permit to allow the construction of a 36,000 square foot (42-unit; 36 one-bedroom units and 6 two-bedroom units) apartment veterans housing complex and 3,300 square foot community center building; 2) Use Permit to allow a reduction in the required parking from 97 spaces to 47 spaces; and 3) Design Approval, subject to the conditions of approval attached hereto as Attachment B.1 and in general conformance with the plans attached hereto as Attachment B.2, both being incorporated herein by reference.

PASSED AND ADOPTED on this 23<sup>rd</sup> day of February, 2016, by the following vote, to-wit:

AYES:

NOES:

**ABSENT:**

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\_\_\_ for the meeting on \_\_\_\_\_.

Dated:

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

By \_\_\_\_\_  
Deputy

# Monterey County RMA Planning

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

PLN150730

### 1. PD001 - SPECIFIC USES ONLY

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** This Combined Development Permit (PLN150730) consists of: 1) Use Permit to allow the construction of a 36,000 square foot (42-unit; 36 one-bedroom units and 6 two-bedroom unit) apartment veterans housing complex and 3,300 square foot community center building; and 2) Use Permit to allow a reduction in the required parking from 97 spaces to 47 spaces; and 3) Design Approval. The property is located south of Poole Street and Merritt Streets (State Highway 183) in Castroville (Assessor's Parcel Number 030-171-001-000), Castroville Community Plan and North County Non-Coastal Area Plan. The term "applicant" or "owner/applicant" as used in these conditions means Applicant and its successors and assigns. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of RMA - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning)

**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.

## 2. PD002 - NOTICE PERMIT APPROVAL

**Responsible Department:** RMA-Planning

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

**Monitoring Measure:**

"A Combined Development Permit (Resolution Number 15-053) was approved by the Monterey County Board of Supervisors for Assessor's Parcel Number 030-171-001-000 on December 9, 2015. The permit was granted subject to 40 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

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

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

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

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

**Responsible Department:** RMA-Planning

**Condition/Mitigation**

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

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

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

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

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



#### 4. PD004 - INDEMNIFICATION AGREEMENT

**Responsible Department:** RMA-Planning

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

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

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

#### 5. PD006(A) - CONDITION COMPLIANCE FEE

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors, for the staff time required to satisfy conditions of approval. The fee in effect at the time of payment shall be paid prior to clearing any conditions of approval.

**Compliance or Monitoring Action to be Performed:** Prior to clearance of conditions, the Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors.

**6. PD012(D) - LANDSCAPE PLAN & MAINTENANCE (MPWMD-SFD ONLY)**

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of RMA - Planning . A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall include an irrigation plan. The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA - Planning)

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

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit one (1) set landscape plans of approved by RMA-Planning, a Maximum Applied Water Allowance (MAWA) calculation, and a completed "Residential Water Release Form and Water Permit Application" to the Monterey Peninsula Water Management District for review and approval.

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/ shall submit an approved water permit from the MPWMD to RMA-Building Services.

Prior to occupancy, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall ensure that the landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to Monterey County RMA - Planning.

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.

## 7. PD013 - STREET LIGHTING

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** All street lights in the development shall be approved by the Director of RMA - Planning.  
(RMA - Planning Department)

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of grading or building permits for street lights, the Owner/Applicant shall submit three copies of the lighting plans to the RMA - Planning 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.

## 8. PD014(A) - LIGHTING - EXTERIOR LIGHTING PLAN

**Responsible Department:** RMA-Planning

**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 lighting source shall be shielded and recessed into the fixture. The applicant shall submit three (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 RMA - Planning, prior to the issuance of building permits.  
(RMA - Planning)

**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 RMA - Planning for review and approval. Approved lighting plans shall be incorporated into final building plans.

Prior to final/occupancy, the Owner/Applicant/Contractor shall submit written and photographic evidence demonstrating that the lighting has been installed according to the approved plan.

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

## 9. PD032(A) - PERMIT EXPIRATION

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The permit shall be granted for a time period of 3 years, to expire on December 7, 2018, unless use of the property or actual construction has begun within this period.  
(RMA-Planning)

**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 RMA-Director of Planning. Any request for extension must be received by RMA-Planning at least 30 days prior to the expiration date.

## 10. PD035 - UTILITIES UNDERGROUND

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** All new utility and distribution lines shall be placed underground. (RMA - Planning and RMA- 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.

## 11. PD041 - HEIGHT VERIFICATION

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible on-site until final building inspection. The applicant shall provide evidence from a licensed civil engineer or surveyor to the Director of RMA - Building Services for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit associated with this project. (RMA - Planning and RMA - Building Services)

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of grading or building permits, the Owner/Applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection.

Prior to the foundation pre-pour inspection, the Owner/Applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of RMA- Building Services for review and approval, that the height of first finished floor from the benchmark is consistent with what was approved on the building permit.

Prior to the final inspection, the Owner/Applicant/Engineer shall provide evidence from a licensed civil engineer or surveyor, to the Director of RMA- Building Services for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit.

## 12. PD052 - PRE-CONSTRUCTION MEETING

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** Prior to the commencement of any grading or construction activities, a pre-construction meeting shall be held on the site. The meeting shall include representatives of each of the selected contractors, any consultant who will conduct required monitoring, the Owner/Applicant, the RMA-Planning Department and any other appropriate County Departments. The purpose of the meeting is to review the conditions of approval that are applicable to the grading and construction of the approved development. (RMA - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to commencement of any grading or construction activities, the Owner/Applicant shall contact RMA-Planning to schedule a pre-construction meeting prior to commencement of any grading or construction activities. The Owner/Applicant shall be responsible for ensuring that all appropriate contractors and technical consultants are in attendance. RMA-Planning staff shall be responsible for identifying and notifying other County Departments that should attend the meeting (if applicable).

**13. PDSP001 - CHANGE OF RESIDENTIAL USE / PERMIT AMENDMENT REQUIREMENT (NON-STANDARD)**

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The Project is approved for Veteran's Supportive Housing. In the event the owner/applicant or successor desires to convert the use of the site to another residential use, the permit shall be modified to allow a different residential use on the site, including addressing changes to parking requirements.

**Compliance or Monitoring Action to be Performed:** Prior to a change in the residential use (Veteran's Housing) of the development, a Permit Amendment shall be applied for, considered, and approved by the appropriate Hearing Authority. The amendment shall consider and analyze all impacts from the change of use, including parking requirements and the removal of affordability requirements (if required).

**14. PDSP002 - ONE ACTIVE PROJECT APPROVAL (NON-STANDARD)**

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** Only one project may proceed forward on this site. The issuance of building permits for this project (PLN150730) shall expire the permit PLN080163. In the event that building permits are issued for PLN080163, this project (PLN150730) shall expire.

**Compliance or Monitoring Action to be Performed:** Prior to issuance of building permit for this project (PLN150730), the prior approval (PLN080163) shall be formally expired in the permitting database.

**15. PDSP003 - CASTROVILLE COMMUNITY PLAN DEVELOPMENT IMPACT FEE (NON-STANDARD)**

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The applicant/owner shall pay a fee for roadway improvements in the Castroville Community Plan Area. The fee shall be based on a pro rata share of trips generated by the project as determined by a traffic engineer.

Prior to issuance of any permits, the applicant/owner shall submit an analysis prepared by a traffic engineer identifying the number of trips generated by the project and fair share percentage of improvements identified in the Castroville Community Plan, to the satisfaction of the Director of RMA-Public Works.

**Compliance or Monitoring Action to be Performed:** Prior to issuance of any permits, the applicant/owner shall submit an analysis prepared by a traffic engineer identifying the number of trips generated by the project and fair share percentage of improvements identified in the Castroville Community Plan, to the satisfaction of the Director of RMA-Public Works.

## 16. EDD001 - INCLUSIONARY HOUSING REQUIREMENT

**Responsible Department:** Economic Development

**Condition/Mitigation Monitoring Measure:** Prior to issuance of a building or grading permit for the project, the developer/owner shall execute an Inclusionary Housing Developer Inclusionary Rental Agreement (Agreement), in a form that is acceptable to the Director of Economic Development Department, to be recorded on the subject property to implement the affordability provisions of the inclusionary housing ordinance requiring units to meet the affordability provisions of the ordinance and the 25% affordability requirement of the 2010 Monterey County General Plan. Units which are more affordable can be used to satisfy the affordability requirements of higher income units.

**Compliance or Monitoring Action to be Performed:** Prior to issuance of a building and/or grading permit, the owner/applicant shall demonstrate proof that an Inclusionary Housing Agreement has been prepared, reviewed, and approved by the Director of Economic Development. Said Agreement shall be recorded on the subject parcel.

## 17. EHBSPO1: RECYCLABLES AND ORGANIC WASTE DIVERSION IN RENTAL HOUSING (NON-STANDARD)

**Responsible Department:** Health Department

**Condition/Mitigation Monitoring Measure:** Recyclables and organic waste must be separated from refuse, collected, stored and properly recycled for the rental housing unit pursuant to Monterey County Code 10.41 and AB 1826 Chesbro (Chapter 727, Statutes of 2014).

**Compliance or Monitoring Action to be Performed:** Prior to issuance of construction permits, submit a written plan to the Environmental Health Bureau on how recyclables and organic waste will be collected and stored for the rental housing complex to Recycling and Resource Recovery Services of Environmental Health Bureau for review and approval.  
Refuse, recycling and organic waste enclosures shall be sized appropriately and located on the construction permit site plan.

## 18. STORMWATER CONTROL PLAN

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall submit a Stormwater Control Plan, prepared by a registered professional engineer, addressing the Post-Construction Stormwater Management Requirements (PCRs) for Development Projects in the Central Coast Region. The plan shall include the location of the drainage facilities and construction details. A report with supporting calculations shall also be provided. The Stormwater Control Plan shall be reviewed by a licensed practitioner to ensure conformance with the Geotechnical Investigation or Engineering Geology Report. (RMA-Environmental Services)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of any grading or building permits, the applicant shall submit a Stormwater Control Report and a Stormwater Control Plan to RMA-Environmental Services for review and approval.

Prior to issuance of any grading or building permits, the applicant shall submit certification from a licensed practitioner that they have reviewed and approved the Stormwater Control Plan for conformance with the geotechnical recommendations.

## 19. CALIFORNIA CONSTRUCTION GENERAL PERMIT

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall submit a Waste Discharger Identification (WDID) number certifying the project is covered under the California Construction General Permit. (RMA-Environmental Services)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of any grading or building permits, the applicant shall submit a WDID number certifying the project is covered under the California Construction General Permit.

## 20. EROSION CONTROL PLAN

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall submit an erosion control plan in conformance with the requirements of Monterey County Code Chapter 16.12. The erosion control plan shall include a construction entrance, concrete washout, stockpile area(s), material storage area(s), portable sanitation facilities and waste collection area(s), as applicable. (RMA – Environmental Services)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of any grading or building permits, the applicant shall submit an erosion control plan to RMA-Environmental Services for review and approval.

## 21. FIELD VERIFICATION OF POST-CONSTRUCTION STORMWATER CONTROL MEASURES

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall provide certification from a registered Professional Engineer that the stormwater control facilities have been constructed in accordance with the approved Stormwater Control Plan. (RMA – Environmental Services)

**Compliance or Monitoring Action to be Performed:** Prior to final inspection, the owner/applicant shall submit a letter to RMA-Environmental Services for review and approval.

## 22. GEOTECHNICAL CERTIFICATION

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall provide certification from a licensed practitioner that all development has been constructed in accordance with the recommendations in the project geotechnical report. (RMA- Environmental Services)

**Compliance or Monitoring Action to be Performed:** Prior to final inspection, the owner/applicant shall provide RMA-Environmental Services a letter from a licensed practitioner.

## 23. GRADING PLAN

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall submit a grading plan incorporating the recommendations from an updated project geotechnical report. The grading plan shall also address the requirements of Monterey County Code Chapter 16.08, and the geotechnical inspection schedule shall be included on the plan. The applicant shall provide certification from the licensed practitioner that the grading plan incorporates their geotechnical recommendations. (RMA-Environmental Services)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of any grading or building permits, the applicant shall submit a grading plan and updated geotechnical report to RMA-Environmental Services for review and approval.

Prior to issuance of any grading or building permits, the applicant shall submit certification from a licensed practitioner that they have reviewed the grading plan for conformance with the geotechnical recommendations.

## 24. INSPECTION-DURING ACTIVE CONSTRUCTION

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall schedule an inspection with RMA-Environmental Services to inspect drainage device installation, review the maintenance and effectiveness of BMPs installed, and to verify that pollutants of concern are not discharged from the site. At the time of the inspection, the applicant shall provide certification that all necessary geotechnical inspections have been completed to that point. This inspection requirement shall be noted on the Erosion Control Plan.(RMA – Environmental Services)

**Compliance or Monitoring Action to be Performed:** During construction, the applicant shall schedule an inspection with RMA-Environmental Services.

## 25. INSPECTION-FOLLOWING ACTIVE CONSTRUCTION

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall schedule an inspection with RMA-Environmental Services to ensure all disturbed areas have been stabilized and all temporary erosion and sediment control measures that are no longer needed have been removed. This inspection requirement shall be noted on the Erosion Control Plan. (RMA – Environmental Services)

**Compliance or Monitoring Action to be Performed:** Prior to final inspection, the owner/applicant shall schedule an inspection with RMA-Environmental Services.



## 26. INSPECTION-PRIOR TO LAND DISTURBANCE

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall schedule an inspection with RMA-Environmental Services to ensure all necessary sediment controls are in place and the project is compliant with Monterey County regulations. This inspection requirement shall be noted on the Erosion Control Plan. (RMA – Environmental Services)

**Compliance or Monitoring Action to be Performed:** Prior to commencement of any land disturbance, the owner/applicant shall schedule an inspection with RMA-Environmental Services.

## 27. MAINTENANCE AGREEMENT

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall enter into a Maintenance Agreement (Agreement) that clearly identifies the responsible party for ongoing maintenance of structural Stormwater Control Measures. The Agreement shall contain provisions for an annual report to be prepared by a registered Professional Engineer. The annual report shall be submitted to RMA-Environmental Services, for review and approval, no later than August 15th. All recommended maintenance shall be completed by October 15th of the same year. If maintenance is required, certification shall be provided that all recommended maintenance has been completed before the start of the rainy season. (RMA – Environmental Services)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of any grading or building permits, the owner/applicant shall submit the signed and notarized Agreement to RMA-Environmental Services for review and approval. The approved Agreement shall be recorded, and a copy of the recorded document shall be provided to RMA-Environmental Services.

A copy of the standard Agreement can be obtained at RMA – Environmental Services.

## 28. OPERATION AND MAINTENANCE PLAN

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall submit an Operation and Maintenance Plan prepared by a registered Professional Engineer that includes, at a minimum, the following:

- a) A site map identifying all structural Stormwater Control Measures requiring O&M practices to function as designed.
- b) O&M procedures for each structural Stormwater Control Measure including, but not limited to, LID facilities, retention/detention basins, and proprietorship devices.
- c) The O&M Plan shall include short- and long-term maintenance requirements, recommended frequency of maintenance, and estimated cost for maintenance.

(RMA – Environmental Services)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of any building or grading permits, the owner/applicant shall submit the O&M Plan to RMA-Environmental Services for review and approval.

**29. PW0003 - ENCROACHMENT (CURB, ETC)**

**Responsible Department:** RMA-Public Works

**Condition/Mitigation Monitoring Measure:** Obtain and encroachment permit from the Department of Public Works and construct curb, gutter, sidewalk and pave-out along the frontage of Poole Street.

**Compliance or Monitoring Action to be Performed:** Prior to Building/Grading Permit Issuance Owner/Applicant shall obtain an encroachment permit from DPW and complete improvement prior to occupying or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.

**30. PW0007 - PARKING STD**

**Responsible Department:** RMA-Public Works

**Condition/Mitigation Monitoring Measure:** The parking shall meet county standards and be approved by the Director of Public Works and the Director of Planning and Building Inspection.

**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.

**31. PW0024 - STOP SIGN**

**Responsible Department:** RMA-Public Works

**Condition/Mitigation Monitoring Measure:** Install a stop sign, limit line and stop stencil on Poole Street at intersection with Merritt Street.

**Compliance or Monitoring Action to be Performed:** Owner/Applicant shall install improvements prior to occupancy or commencement of use.

**32. PW0043 - REGIONAL DEVELOPMENT IMPACT FEE**

**Responsible Department:** RMA-Public Works

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

**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 DPW.

### 33. PW0044 - CONSTRUCTION MANAGEMENT PLAN

**Responsible Department:** RMA-Public Works

**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.

**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.

### 34. PW0045 – COUNTYWIDE TRAFFIC FEE

**Responsible Department:** RMA-Public Works

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

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

### 35. PWSP001- NON- STANDARD CALTRANS ENROACHMENT PERMIT

**Responsible Department:** RMA-Public Works

**Condition/Mitigation Monitoring Measure:** Obtain an encroachment permit from Caltrans and construct sidewalk and road improvements along Merritt Street.

**Compliance or Monitoring Action to be Performed:** Prior to Building/Grading Permit Issuance Owner/Applicant shall obtain an encroachment permit from Caltrans and complete improvement prior to occupying or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.

### 36. PWSP002-NON- STANDARD POOLE STREET IMPROVEMENTS

**Responsible Department:** RMA-Public Works

**Condition/Mitigation Monitoring Measure:** Construct curb, gutter, sidewalk and road improvements along Poole Street to accommodate two way travel. Install barricade at end of road. Provide improvement plans for approval of the Department of Public Works and that the road be constructed in accordance with the County and or Caltrans standards. All street lighting, fire hydrants or utilities that need to be relocated must be shown on the improvement plans.

**Compliance or Monitoring Action to be Performed:** Prior to Building/Grading Permit Issuance Owner/Applicant shall submit the design for review and approval of the DPW., obtain an encroachment permit from DPW and complete improvement prior to occupying or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.

### 37. WR031 - FLOODPLAIN NOTICE

**Responsible Department:** Water Resources Agency

**Condition/Mitigation Monitoring Measure:** The applicant shall provide a recorded floodplain notice stating: "The property is located within or partially within a Special Flood Hazard Area and may be subject to building and/or land use restrictions." (Water Resources Agency)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of any construction permit, the owner/applicant shall submit a signed and notarized floodplain notice to the Water Resources Agency for review and approval. When approved, the applicant shall record the notice.

A copy of the standard notice can be obtained at the Water Resources Agency or online at: [www.mcwra.co.monterey.ca.us](http://www.mcwra.co.monterey.ca.us).

### 38. WRSP1 - GRADING PLAN

**Responsible Department:** Water Resources Agency

**Condition/Mitigation Monitoring Measure:** The apartment building site shall be elevated to a minimum of 15 feet NAVD88 in order to remove a portion of the property, including the proposed apartment building, from the FEMA-defined 100-year floodplain. The applicant shall provide a grading plan, prepared by a registered civil engineer or licensed land surveyor, identifying the portion of property to be removed from the 100-year floodplain. (Water Resources Agency)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of the construction permit for grading, the owner/applicant shall submit a grading plan, prepared by a registered civil engineer or licensed land surveyor, to the Water Resources Agency for review and approval.

### 39. WRSP2 - ELEVATION CERTIFICATION

**Responsible Department:** Water Resources Agency

**Condition/Mitigation Monitoring Measure:** The applicant shall provide certification, from a registered civil engineer or licensed land surveyor, that the building site has been elevated in accordance with the approved grading plan. (Water Resources Agency)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of the construction permit for the proposed apartment building, the owner/applicant shall submit a letter, prepared by a registered civil engineer or licensed land surveyor, to the Water Resources Agency for review and approval.

**40. WRSP3 - FEMA LETTER OF MAP REVISION BASED ON FILL**

**Responsible Department:** Water Resources Agency

**Condition/Mitigation Monitoring Measure:** The applicant shall obtain a FEMA Letter of Map Revision Based on Fill (LOMR-F) officially removing a portion of the property, including the proposed apartment building, from the FEMA-defined 100-year floodplain. (Water Resources Agency)

**Compliance or Monitoring Action to be Performed:** Within 60 days of project completion, the applicant shall submit a LOMR-F application to FEMA.

Prior to submitting the application to FEMA, the applicant shall submit it to the Water Resources Agency for review and approval.

The LOMR-F shall be provided to the Water Resources Agency.

## PROJECT INFORMATION

APN : 030-171-001  
Lot Area : 1,535 Acres = 66,864 s.f.  
Allowable Bldg: Area : 1.5 to 1 = 1.5x66,864 = 100,296 s.f.  
Proposed Building Area :  
Residential Building = 12,000 Per Floor x 3 Floors = 36,000 s.f.  
Community Center Building = 3,300 s.f.  
Total Building Area = 39,300 s.f.  
Allowable Lot Coverage : 50% = 33,432 s.f.  
Proposed Lot Coverage : 15,300 s.f. = +/- 23%

Project Address :  
Poole Street (& Merritt Street)  
Castroville, CA 95012

Property Owner :  
Idris Mohssin  
PO Box 880  
Castroville, CA 95012

Applicant :  
Urban Housing Communities, Inc.  
2000 E. Fourth Street, 205  
Santa Ana, CA 92705

Architect:  
ISA In Studio Architecture  
132 W. Gabilan Street, #204  
Salinas, CA 93901

Zoning : MU-C Mixed Use  
Occupancy Group :  
Residential Building = R-2 Apartment Houses  
Community Center Building = A-3/B  
Site Landscaping : Required - 10% = 6,686 s.f.  
Provided - 10.5% = 7,000 s.f.  
Plus and additional +/-16,000 s.f. of undeveloped area adjacent to the slough to be landscaped with native plants

Construction Type : Type V-B  
Number of Stories :  
Residential Building = 3 Stories (40 feet bldg. height)  
Community Center Building = 1 Story (20 feet bldg. height)  
Fire Sprinklers : To be provided.

Grading Information Estimated :  
Cut = 305 Cubic Yards  
Fill = 2,665 Cubic Yards

Parking Required :  
Residence : 1.5 Stall per 1 Bedroom Unit = 1.5x36 = 54  
Residence : 2 Stalls per 2 Bedroom Units = 2x6 = 12  
Residence Visitor : 1 Stall per Unit = 42/4 = 11  
Community Center Bldg : 1 Stall per 4 Seats = 80/4 = 20  
Total Required = 97  
Parking Provided:  
47 Parking Stalls Provided Including 3 Accessible Stalls  
50 Parking Stall Reduction Proposed



### VICINITY

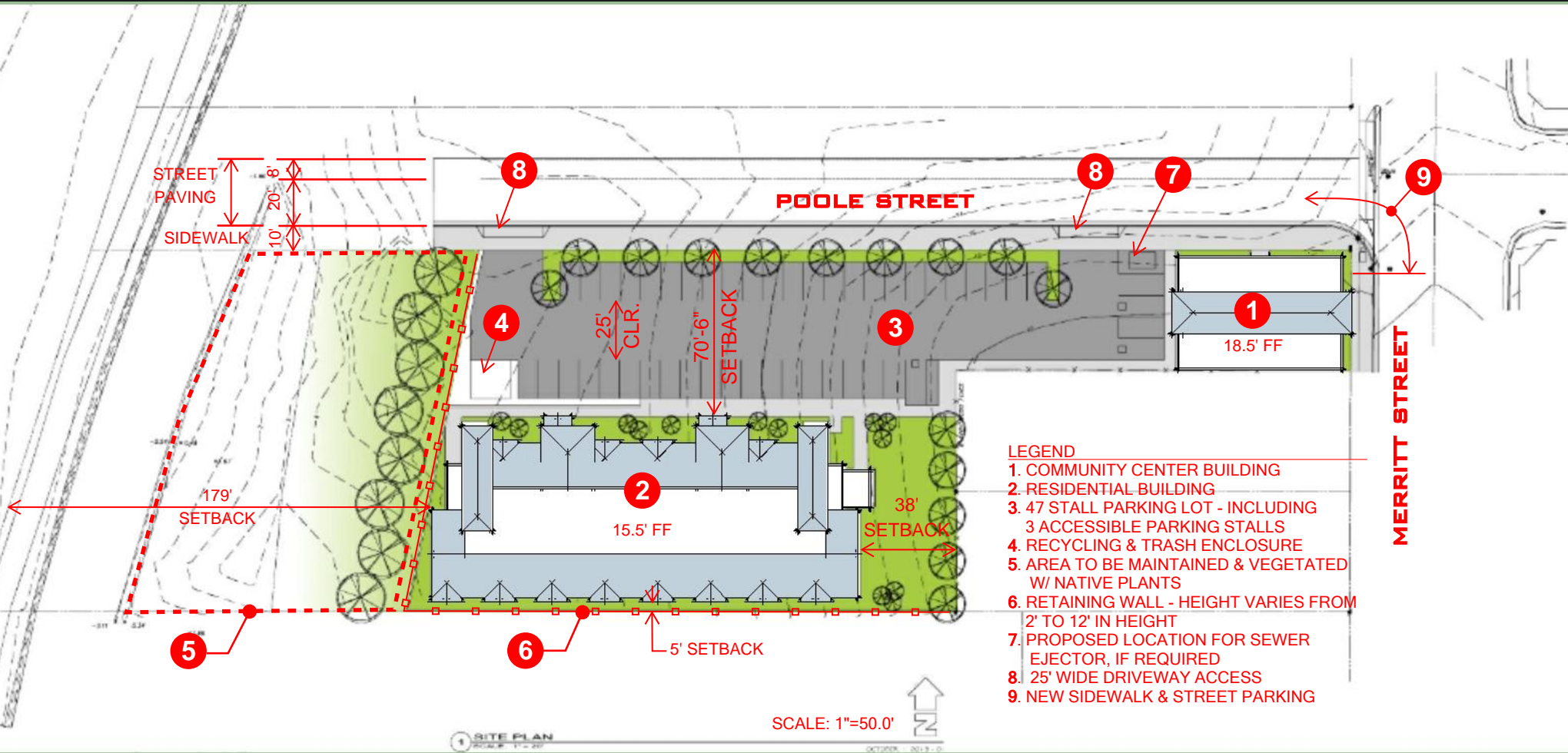


OCTOBER 12, 2015

# Vicinity & Project Information

Urban Housing Communities, Inc. Castroville CA

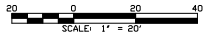
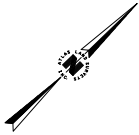




# Site Plan

Urban Housing Communities, Castroville CA





**BASIS OF BEARINGS**

THE BEARING OF N 44°01'30" E AS MEASURED BETWEEN FOUND MONUMENTS ALONG THE SOUTHEASTERN LINE OF LOT 4, BLOCK 30, AS PER MAP FILED IN VOLUME X-4, PAGE 137, OF SURVEYS IN THE OFFICE OF THE COUNTY RECORDER OF MONTEREY COUNTY, CALIFORNIA IS THE BASIS OF BEARINGS FOR THIS SURVEY.

**LEGAL DESCRIPTION**

LOT 6, LOT 7, AND THE NORTHWESTERLY HALF OF LOT 8, IN BLOCK 30, OF THAT CERTAIN MAP ENTITLED "MAP OF THE TOWN OF CASTROVILLE" AS FILED IN VOLUME 1, PAGE 56, OF CITIES AND TOWNS IN THE OFFICE OF THE COUNTY RECORDER OF MONTEREY COUNTY, CALIFORNIA.

**BENCHMARK**

AN ELEVATION OF 100.00' HAS BEEN "ASSUMED" FOR A SPIKE WITH PINK FLASHING SET IN DIRT APPROXIMATELY 25' WEST OF THE SOUTHEAST CORNER OF LOT 6 AS SHOWN HEREON.

**SURVEYOR'S NOTE**

THE ORIGINAL SUBDIVISION MAP DIMENSIONS THE NORTHWESTERLY LINES OF BLOCK 30 TO THE APPROXIMATE LOCATION OF THE MEAN HIGH TIDE LINE OF TEMBLADERA SLOUGH AS IT WAS PRIOR TO THE YEAR 1900. THE TRUE LOCATION OF THE FEE-TITLE NORTHWESTERLY LINE IS THE DIVIDING LINE BETWEEN RANCHO BOSLA POTRERO Y MORO CUDO AND RANCHO BOSLA NUEVA Y MORO CUDO, WHICH AS SHOWN HEREON, LIES NORTHWESTERLY OF THE NOW ESTABLISHED LOCATION OF THE TEMBLADERA DRAINAGE CHANNEL.

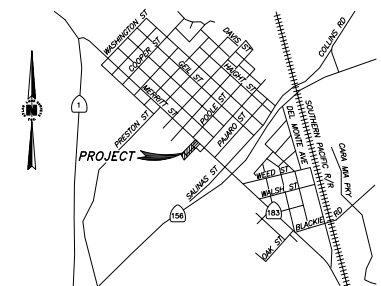
**LEGEND**

- AC ASPHALTIC CONCRETE
- APN: ASSESSOR'S PARCEL NUMBER
- FD FOUND
- IP IRON PIPE
- ★ FOUND MONUMENT AS SHOWN
- ▲ SET CONTROL POINT AS SHOWN

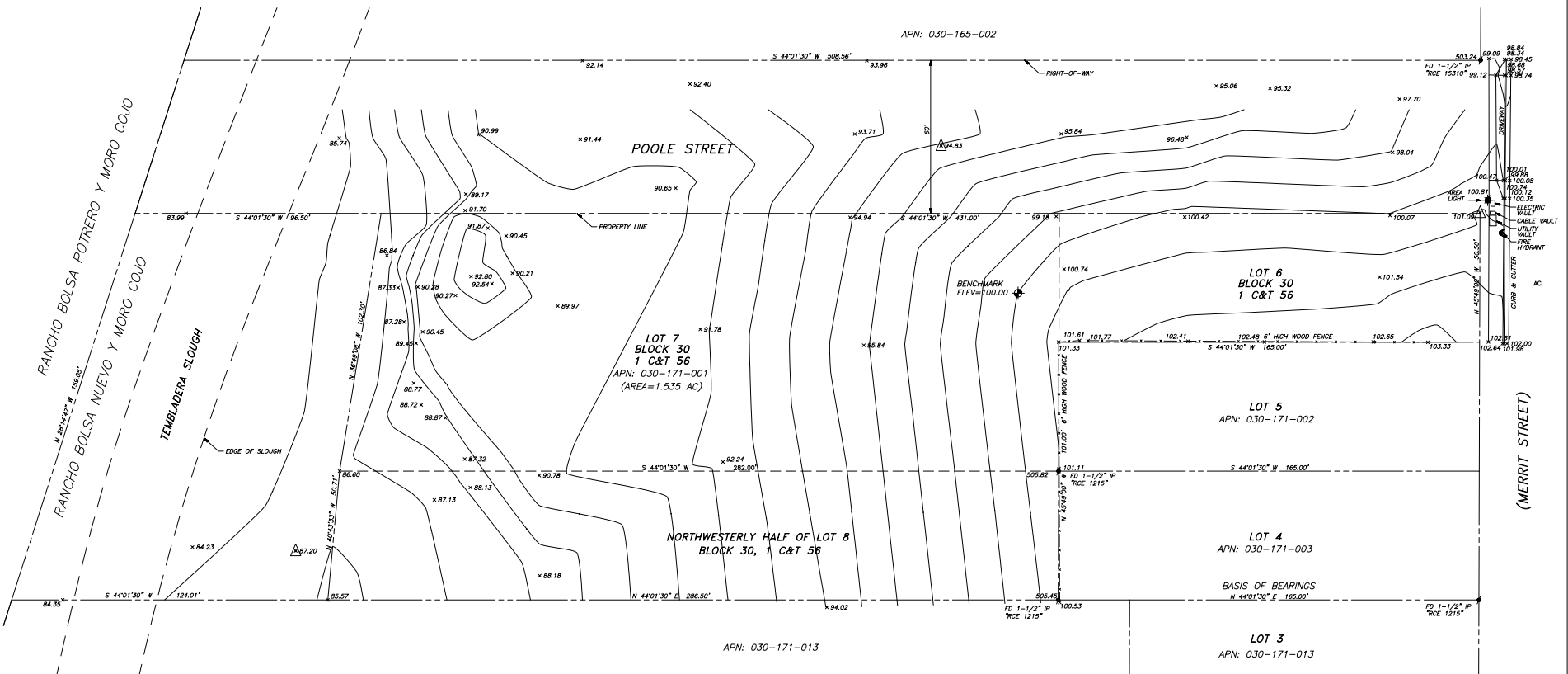
**SURVEYOR'S STATEMENT**

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYORS' ACT AT THE REQUEST OF MICHAEL MARTIN IN APRIL, 2006.

PLS #7866  
 DAVID A. NACHAZEL  
 STATE OF CALIFORNIA  
 EXPIRES: 12/31/2006



VICINITY MAP  
 NOT TO SCALE



| REVISIONS    |                   |
|--------------|-------------------|
| SURVEYED BY: | DMV/CVL           |
| DRAWN BY:    | JPP               |
| DATE:        | 6/08/06           |
| SURVEYOR:    | DAVID A. NACHAZEL |
| PLS:         | 7866              |
|              |                   |

Atlas Land Surveys, Inc.  
 75 4th Street, P.O. Box 7131  
 San Diego, CA 92108-7131  
 (phone) 831-455-8566 (fax) 831-421-46170 (cell)  
 atlaslandsurveys@sbcglobal.net

PREPARED FOR: MISED MOHSEN  
 TOPOGRAPHIC SURVEY  
 LOT 6, LOT 7, & THE NORTHWESTERLY HALF  
 OF LOT 8, BLOCK 30, 1 C&T 56  
 APN:: 030-171-001  
 CALIFORNIA  
 COUNTY OF MONTEREY

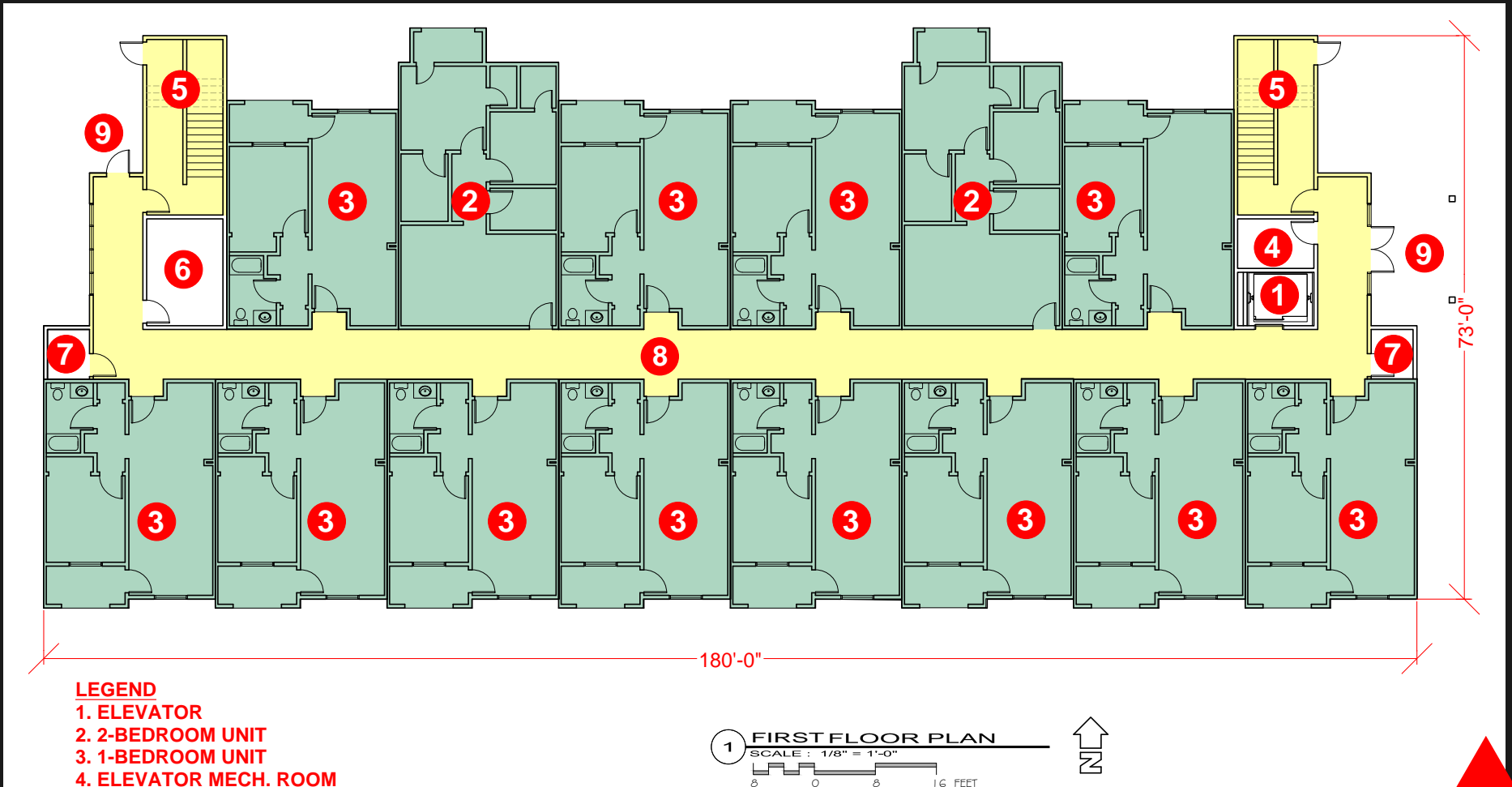
|        |               |
|--------|---------------|
| SCALE: | 1" = 20'      |
| DATE:  | 06/08/2006    |
| SHEET: | 1 OF 1        |
| JOB:   | Mohlan, Poolo |

# Topographic Survey

## Urban Housing Communities, Castroville CA



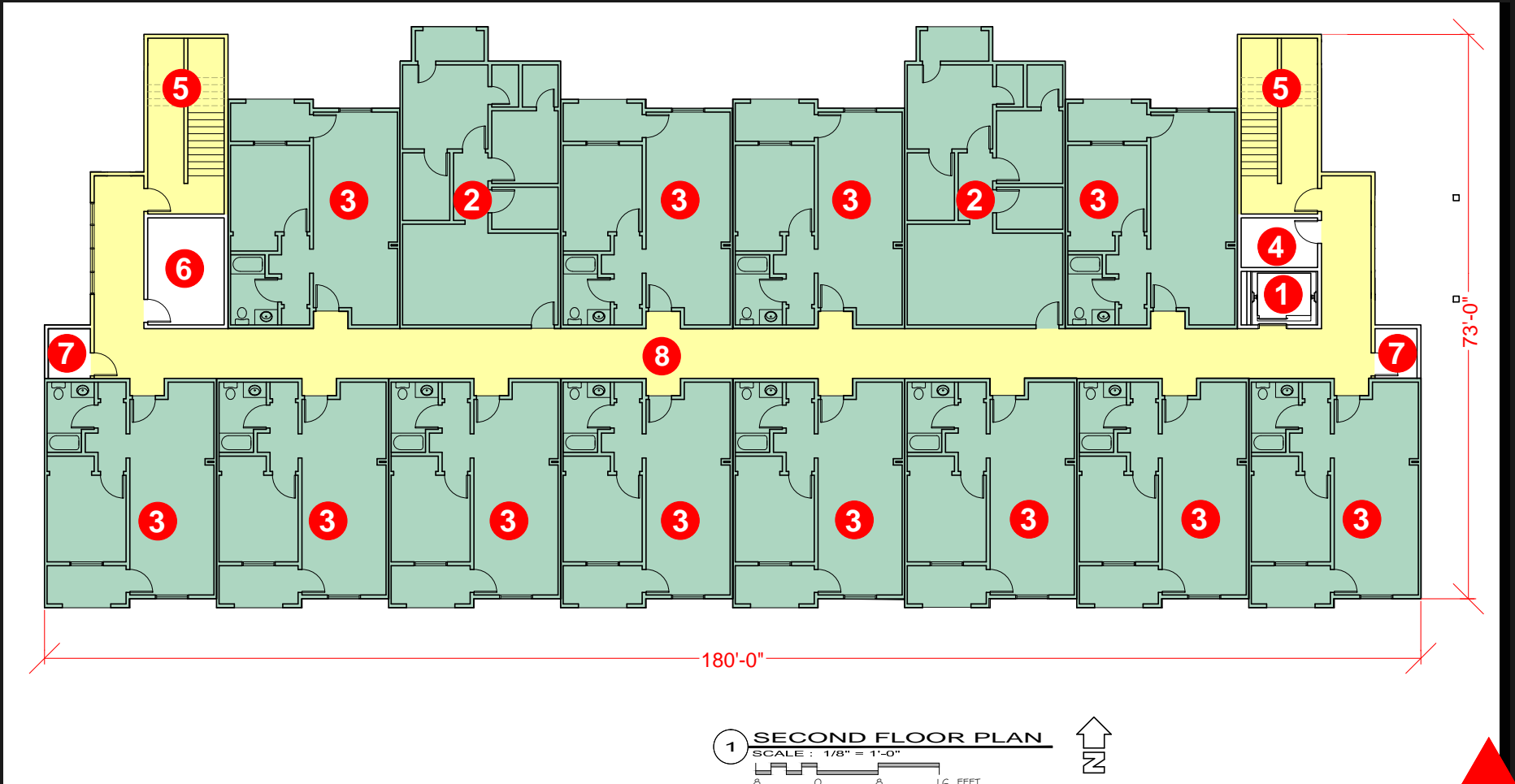




# Apartment Building

Urban Housing Communities, Castroville CA

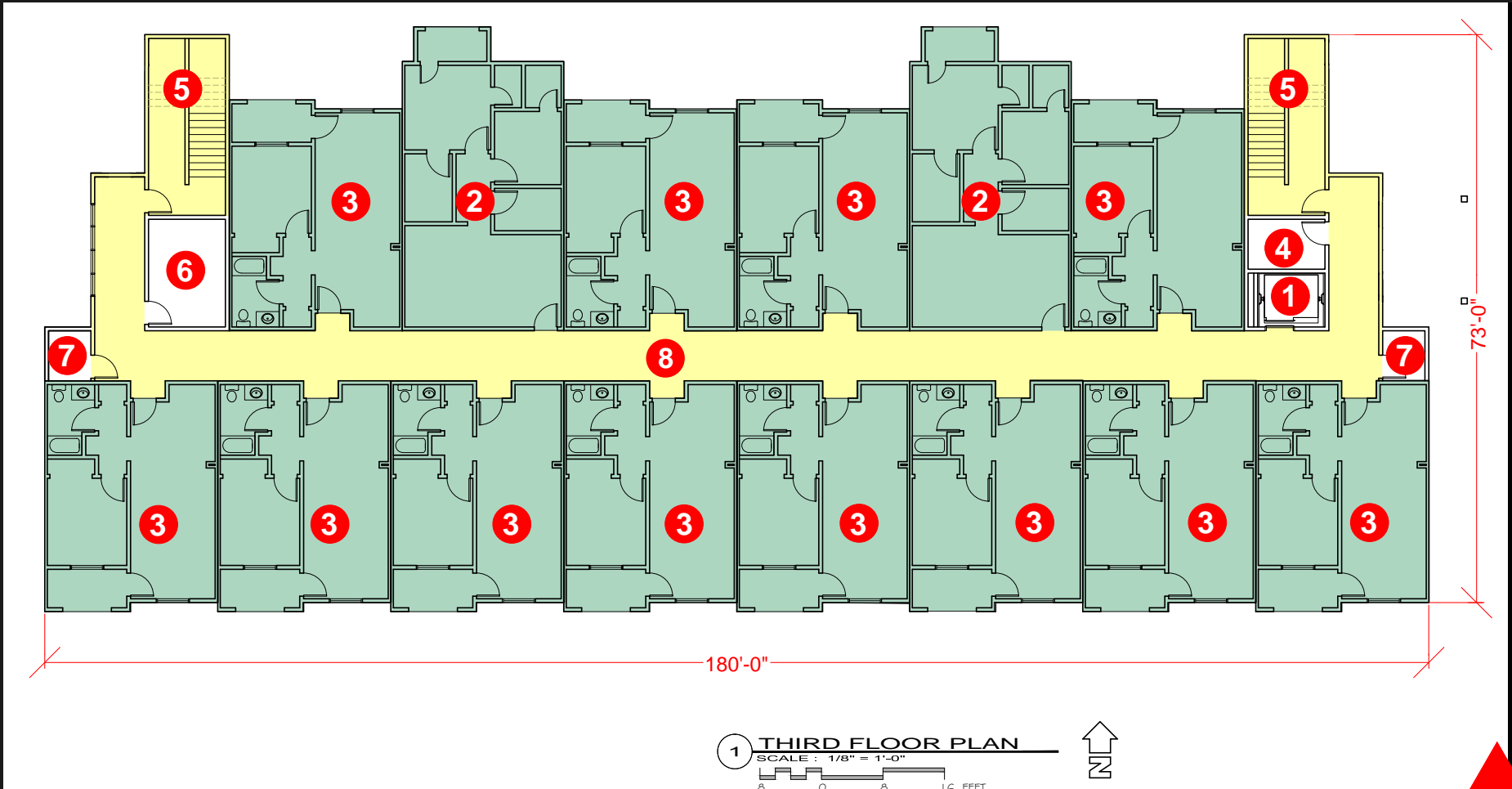




# Apartment Building

Urban Housing Communities, Castroville CA

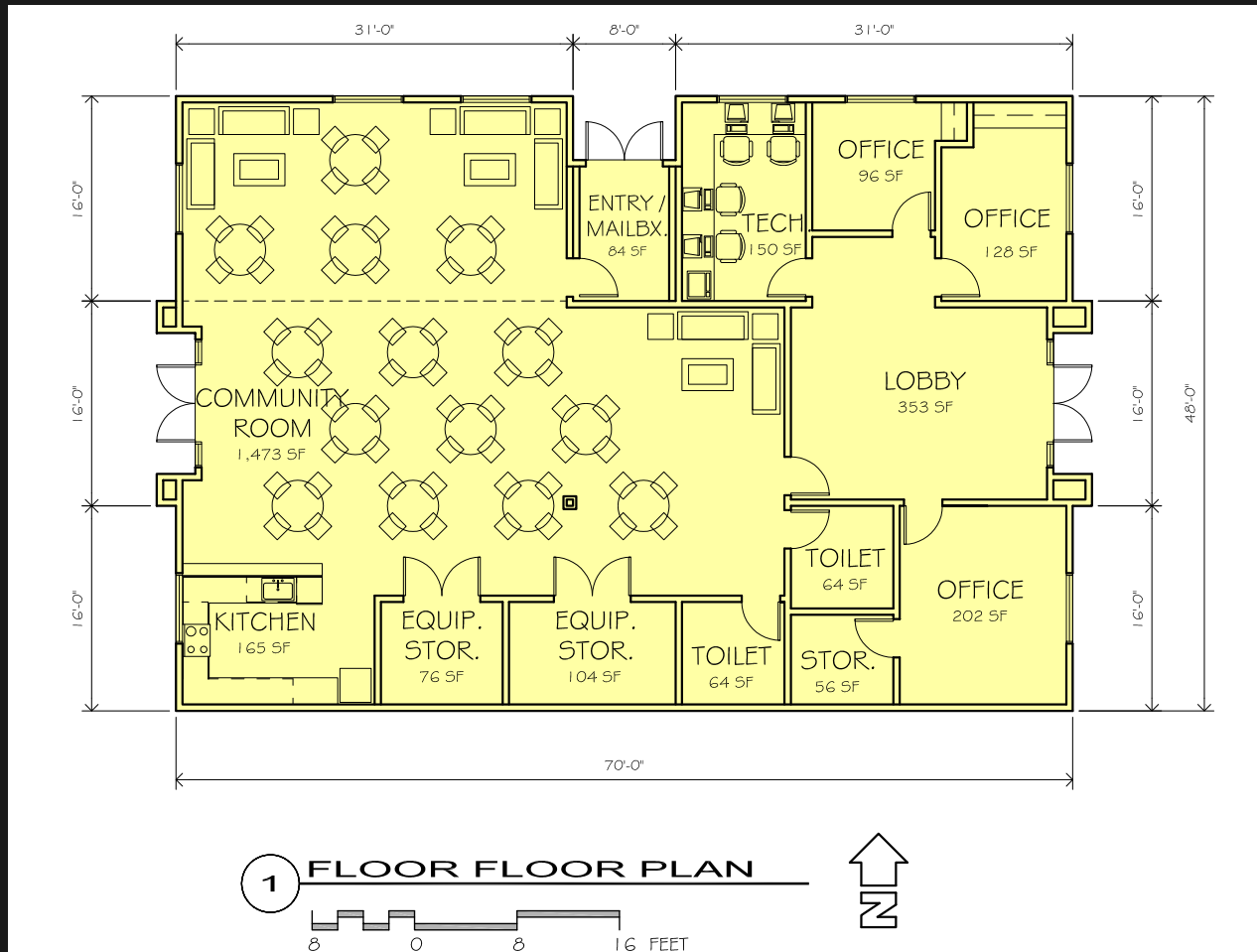




# Apartment Building

Urban Housing Communities, Castroville CA





# Community Building

Urban Housing Communities, Castroville CA





# East Elevation View

Urban Housing Communities, Castroville CA





# North & East Elevation View

Urban Housing Communities, Castroville CA





# North & East Elevation View

Urban Housing Communities, Castroville CA





# North Elevation View

Urban Housing Communities, Castroville CA







# North & East elevation view

Urban Housing Communities, Castroville CA





# South & East elevation View

Urban Housing Communities, Castroville CA





# South & West Elevation View

Urban Housing Communities, Castroville CA





# North Elevation View

Urban Housing Communities, Castroville CA

