

Attachment H

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Agricultural Employee Housing Facility Plan

21.66.060 - Standards for agricultural employee housing.

- A. Purpose. The purpose of this section is to provide the minimum standards for the application and development of agricultural employee housing.
- B. Applicability. The regulations of this section are applicable in those zoning districts which allow agricultural employee housing.
- C. Regulations.
 - 1. Development of agricultural employee housing is subject to the following requirements, based on the size of the facility and the zoning district of the subject property:
 - a. In the Farmlands, Rural Grazing and Permanent Grazing Zoning Districts, agricultural employee housing consisting of not more than thirty-six (36) beds in a group quarters or twelve (12) units or spaces designed for use by a single family or household is an allowed use;
 - b. In the Farmlands, Rural Grazing and Permanent Grazing Zoning Districts, agricultural employee housing consisting of thirty-seven (37) or more beds in a group quarters or thirteen (13) or more units or spaces designed for use by a single family or household shall require a Use Permit.
 - 2. Prior to the issuance of a Use Permit for agricultural employee housing exceeding twelve (12) units or thirty-six (36) beds, the operator of the agricultural employee housing facility shall submit a facility plan to the Planning Director consisting of the following information:
 - a. Entity responsible for housing maintenance and up-keep;
Rio Vista Group LLC
PO Box 4500
Salinas, CA 93912
 - b. Description of whether the housing will be used on a permanent, temporary, and/or seasonal basis;
The housing project would be occupied primarily during the Salinas Valley harvest season from April through November.
 - c. Total number of people to be housed on-site at any one time;
Housing would be designed to accommodate up to 360 agricultural employees without dependents. Each apartment unit would be suitable to house eight individuals.
 - d. Description of the housing, including whether the structures will be permanent and/or temporary, intended as units for families, one person, or several persons, and cost of the units and utilities to the laborers;
The proposed project consists of the construction of three (3) two-story permanent apartment style buildings on the 3.41 acre property, consisting of 45 apartment units, one (1) laundry facilities, one (1) manager unit, one (1) recreation room. The housing would be available for agricultural employees. The project will be made available to Domestic and H-2A temporary agricultural workers. Under the DOL requirements for employee housing employers must provide housing at no cost to H-2A workers and my charge "reasonable cost" to the employer of furnishing the employee with board, lodging, or other facilities inclusive of cost for operation and maintenance per Title 29 Part 531 – Wage Payments Under the Fair Labor Standards Act of 1938.

- e. Location of where the employees will work;

The agricultural employees will be dispersed throughout the agricultural fields Monterey County

- f. Assessment of how much water will be used by the proposed development and description of how water is proposed to be supplied to the housing, including water source location and type, water quality, water quantity, and storage; and

The Pajaro/Sunny Mesa Community Services District (PSMCSD). The District was created by the Monterey County Local Agency Formation Commission (LAFCO) with the consolidation of Pajaro Community Services District, the Sunny Mesa Water District, and Monterey County Service Area No. 73. The District is a public agency governed by a five (5) member Board of Directors that serves without compensation. A "Can and Will Serve" letter has been issued by (PSMCSD). The proposed project would be connected to the existing water system. The proposed maximum occupancy is 361 beds. Assuming 45 gallons per person per day (based on the current historic use of similar agricultural farm worker housing projects for indoor water use), 361 persons would generate an average of 16,245 gpd. Refer to Schaaf & Wheeler Water Demand Estimates Memorandum dated 11/10/2022.

- g. Description of the sewage disposal method, such as septic systems, to be used to service the housing.

The Pajaro County Sanitation District (PCSD) was formed in 1946 to provide a community sewer system that replaced the individual septic tank systems that served homes and businesses in Pajaro until that date. Today PCSD serves the two non-contiguous communities of Pajaro and Las Lomas and some residential enclaves along Salinas Road. The services of the district are limited to the collection of domestic sewage only. Area wastewater is transported to the City of Watsonville wastewater treatment plant in Santa Cruz County. The district does not have its own staff. Staffing and management of the district is provided by the Monterey County Public Works Department. The City of Watsonville has an agreement with PCSD to provide sewer service to the Pajaro Community. The City of Watsonville has stated PCSD has excess capacity for future developments. The infrastructure of the district consists of underground sewer lines traversing 20.2 miles and 6 lift stations. The lift stations pump contained wastewater from Las Lomas to Pajaro and then to the Watsonville wastewater treatment plant on Riverside Drive directly south of the Watsonville city limits where it is treated. Staff states that sewers and lift stations are now in good condition. The proposed project would be connected to the existing wastewater system. PCSD has stated they will provide a "can and will serve" letter to provide sanitary sewer service, provided certain conditions are met by the by the development. The PCSD sanitary sewer capacity and service is conditioned upon a professionally prepared sanitary sewer capacity study as outlined in the letter dated July 30 , 2021 by Lynette Redman. Upon review and confirmation of the Sewer Capacity study PCSD will provide a formal "can and will serve" letter. Refer to Schaaf & Wheeler Sewer Capacity Memorandum dated 11/10/2022.

- 3. Agricultural employee housing for more than twelve (12) units or thirty-six (36) beds shall not be issued a Use Permit unless the following criteria are satisfied:

- a. There must be adequate water and sewer available to service the development, as determined by the Director of Environmental Health.
- b. 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.
- c. The development shall incorporate proper erosion and drainage controls.
- d. Enclosed storage facilities shall be provided for each housing or dwelling unit.

- e. Laundry facilities, including washers and dryers, shall be provided on-site.
 - f. The site design of the facilities shall be subject to the approval of the Director of Planning.
 - g. 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.
 - h. 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.
 - i. All recreational areas and landscaping shall be installed prior to occupancy of the facilities. Landscaped areas shall be maintained.
- D. When applicable, Use Permits for agricultural employee housing may be conditioned to expire at a time to be specified by the Appropriate Authority at the time of Use Permit approval. Renewal of the Use Permit shall require on site inspections by the Planning Department and Health Department, prior to public hearing, to assess compliance with the previous conditions of approval.

(Ord. No. 5177, § 56, 5-24-2011; Ord. No. 5135, § 146, 7-7-2009)

Editor's note— Ord. No. 5177, § 56, adopted May 24, 2011, changed the title of Section 21.66.060 from "Standards for farm employees and farm worker housing" to "Standards for agricultural employee housing." The historical notation has been preserved for reference purposes.

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