

COUNTY OF SANTA CRUZ 0687

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060 (831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123 **KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR**

May 8, 2014

AGENDA DATE: May 20, 2014

Board of Supervisors County of Santa Cruz 701 Ocean Street Santa Cruz, CA 95060

PUBLIC HEARING TO CONSIDER THE RECOMMENDATION FOR APPROVAL BY THE PLANNING COMMISSION REGARDING SETTLEMENT AGREEMENT-INITIATED CHANGES TO THE ATKINSON LANE PLANNED UNIT DEVELOPMENT (PUD); INCLUDING A PROPOSED PUD ORDINANCE INCORPORATING REVISIONS TO THE ATKINSON PUD APROVED IN JUNE 2009, CONSIDERATION OF THE 2009 ENVIRONMENTAL IMPACT REPORT (EIR) AND 2014 EIR ADDENDUM, DESIGN REVIEW OF A PROPOSED 26-UNIT RENTAL AFFORDABLE HOUSING PROJECT, AND A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE CITY OF WATSONVILLE AND MIDPEN HOUSING REGARDING PROVISION OF BUILDING PERMIT SERVICES AND DISTRIBUTION OF IMPACT FEES, PAYMENTS AND OTHER RESPONSIBILITIES

Members of the Board:

On April 23, 2014, the Planning Commission considered an application filed by MidPen Housing for proposed development of 26 multi-family housing units on Assessor's Parcel Number (APN) 048-211-25, which in conjunction with a proposal for 20 units to be developed on an adjacent parcel located within the City of Watsonville, would comprise a 46-unit rental affordable housing project. The requested approvals include 1) an ordinance rescinding Atkinson PUD Ordinance #5048 adopted in June 2009 and approving a new modified Atkinson PUD for APN 048-211-25, in order to include within the PUD modifications pursuant to a February 2011 Settlement Agreement and to include updated site information; 2) design review for the project; and 3) amendment of the Mitigation Monitoring and Reporting Program (MMRP) to incorporate changes as described in a 2014 Addendum to the 2009 Environmental Impact Report (EIR). The Planning Commission took action to recommend that the Board of Supervisors take actions to consider the EIR and its Addendum, and to approve the project requests.

A Memorandum of Understanding (MOU) between the City of Watsonville, the County of Santa Cruz and MidPen is also proposed for approval. The MOU outlines an approach for provision of building permit and inspection services for the 46-unit project by the County of Santa Cruz, and also addresses distribution of impact fees, payments and other responsibilities regarding public services to be provided.

BACKGROUND 0688

In June 2007, the City of Watsonville and the County of Santa Cruz entered into an MOU to jointly oversee planning and preparation of an Environmental Impact Report (EIR) for a group of properties primarily located within the unincorporated area, but also in the "Future Growth Area B" under the City's voter-approved Measure U which guides where future expansion of city development would occur. Pursuant to that MOU, the County of Santa Cruz and the City of Watsonville jointly prepared a Specific Plan for the City to use for considering proposed development within its future annexation area, and on June 9, 2009 the County took actions to adopt an Atkinson Planned Unit Development Ordinance #5048, including rezoning of identified parcels to allow "use-by-right" development at a 20 unit per acre density.

On July 8, 2009 the Farm Bureau filed litigation regarding the certification of the EIR. The City of Watsonville did not proceed with consideration or adoption of the Specific Plan which had been prepared.

In February 2011 a Settlement Agreement between the Santa Cruz County Farm Bureau, the County of Santa Cruz, and the City of Watsonville (Exhibit G of Attachment 3), the terms of which require the County to make minor modifications to the Atkinson PUD Ordinance to include conditions related to farm worker housing opportunities, water offset requirements, restrictions of use within the agricultural buffer on County APN 048-221-09, restrictions for secondary access through APN 019-236-01 located within the City of Watsonville, and restrictions on development that could encourage or facilitate development within the City Specific Plan Area or that would necessitate or encourage the development of Wagner Avenue extension. The Settlement Agreement also does not allow the City to use the EIR for the adoption of the Specific Plan but does allow the City to use the EIR for the development of City APNs 019-226-42 and 019-236-01.

The limitations on the use of the EIR reduced the Atkinson Housing Site to four parcels, two within the County of Santa Cruz (048-211-25 and 048-221-09) and two within the City of Watsonville (019-226-42 and 019-236-01) which are collectively referred to as the County Entitlements Area in the Settlement Agreement. The multi-family residential use and 20 units per acre density of the County parcels within the County Entitlements Area are not changed by the terms of the Settlement Agreement.

CURRENT PROPOSAL

On September 26, 2013, application 131265 was filed by MidPen Housing to construct a 39,754 square foot apartment building containing 26 affordable rental housing units on County APN 048-211-25. The density of the proposed residential development at 20 units per acre was approved under PUD Ordinance #5048. A Planned Development (PD) permit is being processed concurrently by the City of Watsonville to allow for the development of 20 affordable rental housing units on the adjacent city parcel to the north, and the two proposals would result in one 46 unit, 100% affordable, rental housing development that would span between City and County jurisdictional boundaries.

The proposed development would include three 1-bedroom units (798 sq. ft.), fifteen 2-bedroom units (929 sq. ft.), eight 3-bedroom units (1237 sq. ft.), a 1215 sq. ft. multi-purpose



room with a kitchen, a 294 sq. ft. computer room, storage facilities, and offices within a 39,754 square foot building. The tallest portion of the structure is 36 feet and is located on the south wing of the structure, which faces the existing PG&E substation on the south adjacent parcel.

The structure meets all site standards, parking requirements, and landscaping requirements pursuant to the Atkinson PUD (see Planning Commission staff report, Attachment 3). Conditions of approval of the PUD related to site planning and architectural and building standards have been met in that the structure is oriented towards the wetlands located on the east portion of the parcel to take advantage of the open space views and to reduce potential light and noise impacts on adjacent existing residences; the structure varies between one and three stories, which provides visual interest and reduces the visual massing of the building; the landscape palette is diverse and creates distinction between pathways, communal open spaces, and discrete courts, and also provides visual relief and shading throughout the parking area; and the project, in its entirety, transitions from two story duplexes at the frontage of the City parcel along Atkinson Lane to larger three story structures at the interior of the parcel to maintain a street frontage consistent with the existing single family neighborhood.

PROJECT ASPECTS INVOLVING THE CITY OF WATSONVILLE

The proposed development shares, among other things, open space and parking requirements between the City and County parcels; therefore, as a stand-alone development, the proposed project on the County parcel would not meet the requirements of the PUD. It has been recommended by the Planning Commission that the proposed project only be approved if constructed in conjunction with the adjacent proposed Planned Development within the City of Watsonville.

The City of Watsonville Planning Commission considered the project at its meeting of May 6, 2014 and has recommended that its City Council approve the project requests.

On May 6, 2014 the Local Agency Formation Commission (LAFCO) approved extra-territorial City provision of water and sewer connections/service for the project.

A proposed Memorandum of Agreement (Attachment 6) has been prepared to establish an approach for provision of building permit and inspection services for the 46-unit project by the County of Santa Cruz, and also to address distribution of impact fees, payments and other responsibilities regarding public services. Implementation of the terms of the MOU would comply with certain EIR Mitigation Measures related to public facilities and services.

COUNTY PLANNING COMMISSION REVIEW

On April 23, 2014, the Planning Commission reviewed the 2009 EIR and Addendum, the proposed Ordinance, and the housing development. The Planning Commission adopted a resolution (Attachment 4) unanimously recommending approval of Application Number 131265 by your Board, based on the Findings, revised Conditions of Approval, revised Mitigation and Monitoring Reporting Program, and a revised color board submitted by the project applicant.

ENVIRONMENTAL REVIEW

An Addendum to the Final EIR (Exhibit B of Attachment 3) was prepared by County staff in accordance with CEQA Guidelines 15164 and 15162, to address modifications to the Atkinson Planning Area, including revisions to the original project phasing described by the EIR, to incorporate minor modifications to the PUD as per the terms of the Settlement Agreement, and to include new and/or updated site information. This Addendum will be used along with the EIR to provide the CEQA compliance documentation for the modified Atkinson housing project pursuant to the Settlement Agreement.

The EIR has already been certified, and pursuant to the California Environmental Quality Act it is not necessary to again certify the EIR, or to take any other formal action with regard to the EIR Addendum, other than to consider the information within the documents prior to taking action on the project.

PLANNING COMMISSION RECOMMENDED CHANGES

The following revised Mitigation Measure was proposed at the Planning Commission hearing:

• The outdated language contained in Mitigation Measure 3.4-3a to be stricken and a new 3.4-3a to read:

Based on the lack of suitable habitat within the onsite pond and the absence of a viable population of WPTs, the following shall be implemented. During preconstruction surveys, all captured western pond turtles shall be permanently relocated under the direction of the qualified herpetologist in consultation with CDFW.

The following revised conditions of approval were proposed at the Planning Commission hearing:

- The outdated requirements contained in Condition II.P., related to the development of a Habitat Enhancement Plan for the western pond turtle, to be stricken, as there is no longer habitat on the parcel to support a viable western pond turtle population.
- The requirement contained in Condition V. to be stricken, as it is not applicable to the current project proposal.
- The outdated language contained in Condition III.G., to be stricken and a new III.G. to read:

 If western pond turtles (WPT) are observed on the project site prior to or during construction activities, the turtles shall be captured, held, and cared for in coordination with the CDFG. All captured pond turtles shall be tagged and fully documented at the time of capture (e.g., number, sex, age, carapace length, weight, overall condition, etc.). All non-native turtles that are captured shall also be documented and not returned to the wild. (MM 3.4-3e)
- The outdated language contained in Condition III.H. to be stricken and a new III.H. to read:

 All captured western pond turtles shall be permanently relocated under the direction of the qualified herpetologist in consultation with CDFW. (MM 3.4-3a)
- The requirement contained in Condition V.B. related to the development of a Habitat Enhancement Plan for the western pond turtle, to be stricken.

The Planning Commission's recommendation that the Board of Supervisors take actions to approve the project requests incorporates the revised Conditions of Approval, the revised MMRP, and the revised color board, which is incorporated into Exhibit C of Attachment 3, the project plans.



The proposed development requires consideration of the 2009 EIR and 2014 EIR Addendum, adoption of the attached Resolution (Attachment 1), Ordinance (Attachment 2), and amended Mitigation Monitoring and Reporting Program.

Ordinance #5048 (Atkinson PUD) was approved by your Board on June 9, 2009. The February 2011 Settlement Agreement required minor modifications to be made to the PUD ordinance. An ordinance can only be modified by adopting a new ordinance. On April 23, 2014, the Planning Commission considered the ordinance (Attachment 2) and provided a recommendation that your Board adopt the ordinance. The PUD ordinance incorporates the terms of the Settlement Agreement, the modified planning area, and new and/or updated site information.

As proposed and conditioned, the project is consistent with all applicable codes and policies of the California Environmental Quality Act, Zoning Ordinance and General Plan/Local Coastal Plan.

It is therefore **RECOMMENDED** that your Board take the following actions:

- 1. Hold a public hearing on the proposed project as recommended for approval by the Planning Commission;
- 2. Consider the 2009 EIR and 2014 EIR Addendum;
- 3. Adopt the attached Resolution approving Application Number 131265, based on Findings and with project Conditions of Approval, attached as Exhibits A and B;
- 4. Adopt the attached Ordinance rescinding Ordinance #5048 and approving a Planned Unit Development as allowed by Santa Cruz County Code relating to establishment of use-by-right density at 20 units per acre, and development standards, for APN's 048-211-25 and 048-221-09;
- 5. Adopt the Amended Mitigation Monitoring and Reporting Program (MMRP); and
- 6. Authorize the County Administrative Officer to execute the attached Memorandum of Understanding (MOU) between the City of Watsonville, the County of Santa Cruz and MidPen, regarding provision of building permit and inspection services for the 46-unit MidPen project by the County of Santa Cruz, and distribution of impact fees, payments and other responsibilities related to development within the Atkinson site.

Sincerely,

Kathleen Molloy Previsich

Planning Director

RECOMMENDED:

SUSAN A. MAURIELLO County Administrative Officer

Attachments:

- 1. Board Resolution approving the design review for Application Number 131265 with attached Findings of compliance and conditions of approval
- 2. Ordinance rescinding Ordinance #5048 and approving modified Atkinson PUD
- 3. Planning Commission Staff Report 4/23/14
- 4. Planning Commission Resolution 4/23/14
- 5. Planning Commission Minutes 4/23/14
- 6. Memorandum of Understanding between City of Watsonville, County of Santa Cruz and MidPen
- 7. 2009 EIR and 2014 EIR Addendum (distributed to Board members on disk, and available to public on Planning Dept website under "Environmental" section; CEQA, Archived EIRs)

cc: MidPen Housing, 275 Main St., Suite 204, Watsonville, CA 95076

BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

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RESOLUTION NO.	

On the motion of Supervisor: Duly seconded by Supervisor: The following Resolution is adopted:

RESOLUTION APPROVING THE DESIGN REVIEW OF A 26-UNIT HOUSING DEVELOPMENT LOCATED AT 56 ATKINSON LANE, FOR APPLICATION NO. 131265

WHEREAS, in October 2006, the County Board of Supervisors approved a new Housing Element for the County which included a key policy that required the rezoning of a minimum of 30 acres for higher density housing; and

WHEREAS, in November 2006, the Atkinson Planning Area consisting of County Assessor's Parcel Numbers (APNs) 048-211-25 and 048-221-09 was selected by the County Board of Supervisors as a candidate site for the rezoning program; and

WHEREAS, in 2002, the residents of the City of Watsonville approved voter initiative Measure U, the "Watsonville Urban Limit Line and Development Timing Initiative" which defined a new Urban Limit Line (ULL) area and allowed for the planning and development of future growth areas, including the Atkinson Planning Area; and

WHEREAS, on June 12, 2007, the City and County entered into a Memorandum of Understanding to jointly oversee the planning and environmental review process for a group of properties primarily located in the unincorporated area of the County, but also in the Future Growth Area B under the City's Measure U; and

WHEREAS, as a result of that effort, a Planned Unit Development (PUD) was prepared to plan for future development to occur by-right on County APN's 048-211-25 and 048-211-09, and a City Specific Plan was developed to plan for future development on City APN's 019-226-42, 019-226-43, 019-226-44, 019-236-01 and County APN's 048-231-01, 048-231-17, 048-231-18, and 048-251-09; and

WHEREAS, in accordance with Section 15063 of the CEQA Guidelines, the County of Santa Cruz determined that an Environmental Impact Report (EIR) would be necessary for the proposed project; and

WHEREAS, in accordance with Section 15082(a) of the CEQA Guidelines, a Notice of Preparation (NOP) was circulated for a 30-day public review and comment period commencing on August 1, 2008 and concerns raised in response to the NOP were considered during preparation of the Draft EIR; and

WHEREAS, a Draft EIR was completed and the County filed a Notice of Completion (NOC) with the State Office of Planning and Research in accordance with Section 15085 of the CEQA Guidelines to begin a 45-day review and comment period commencing on August 9, 2009; and

WHEREAS, concurrent with the NOC, the County provided a public notice of the availability of the Draft EIR for public review in accordance with Section 15087(a) of the CEQA Guidelines and invited

comments from the general public, Responsible Agencies, organizations, and other interested parties; and

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WHEREAS, in accordance with Section 15088 of the CEQA Guidelines, the County evaluated comments on environmental issues received during the noticed comment period from persons who reviewed the Draft EIR and prepared written responses; and

WHEREAS, the Final Environmental Impact Report (EIR) consisting of the Draft EIR and responses to comments and errata was prepared pursuant to the California Environmental Quality Act (CEQA: Public Resources Code §21000 et seq.) to analyze the environmental impacts of the project consisting of the development of 450 units under the PUD and City Specific Plan; and

WHEREAS, on June 9, 2009 the Final EIR was certified by the County, in conjunction with County approval of a General Plan Amendment, Rezoning, Planned Unit Development, and Riparian Exception for County parcels 048-211-25 and 048-211-09 (Ordinance #5047 and #5048). While a draft Specific Plan had been prepared for the City's consideration, it was not acted upon by the City; and

WHEREAS, on July 8, 2009, the Farm Bureau filed a petition for a Writ of Mandate against the County, City and others with regard to certification of the EIR. As a result of this litigation, a Settlement Agreement was reached in 2011 between the Farm Bureau, the County, and the City; and both the City and County agreed that the EIR would not be used in connection with any action or proposal to develop or annex any, all or portions of the Specific Plan Area not included within the County Entitlements, and the City agreed that nothing in the County Approvals includes approval of the Specific Plan, or the EIR covering the Specific Plan area; and

WHEREAS, the Settlement Agreement does allow the City to rely upon the EIR and to approve development involving two parcels currently located within the City, as they are intended to be incorporated into project(s) authorized by the County Entitlements (Ordinance #5047 and #5048); and

WHEREAS, the Settlement Agreement defines the County Entitlements Area to include the following APNs:

COUNTY ENTITLEMENTS AREA

(within existing City of Watsonville Sphere of Influence)

019-226-42	52 Atkinson Lane	MidPen Housing parcel within City of Watsonville
019-236-01	78 Atkinson Lane	Lamb parcel within City
048-211-25	56 Atkinson Lane	MidPen Housing parcel within County
048-221-09	no site address	Lamb parcel within County

; and

WHEREAS, the Settlement Agreement requires "Modification to the Approvals" to consist of modifications to the approved PUD and the certified EIR; and

WHEREAS, the County, acting as the Lead Agency, concluded that the proposed project would not result in any new impacts not previously disclosed in the Final EIR for the Atkinson Lane Specific Plan and PUD Project and would not result in a substantial increase in the magnitude of any significant environmental impacts previously identified in the EIR. In addition, the County concluded that there are no new or newly feasible mitigation measures or alternatives that would substantially reduce significant

0695 effects of the project but which the project proponents decline to adopt. For these reasons, an Addendum to the Final Environment Impact Report for the Atkinson Lane Specific Plan and PUD project has been prepared for the proposed project in accordance with CEQA Guideline Sections 15164 and 15162, to include modifications to the project area and to the original project phasing described by the EIR to limit the planning area to the "County Entitlements Area" as per the terms of the Settlement Agreement; and one

WHEREAS, MidPen Housing (MidPen) has, with the benefit of a loan from the County's Redevelopment Agency, acquired APN 048-211-25 within the County's jurisdiction, and has purchased with its own funds APN 019-226-42 within the City's jurisdiction. Together, these two adjoining properties create a stand-alone developable project site within the County Entitlements Area that is allowed under the Settlement Agreement to be considered for approval. An application for Design Review of the MidPen housing project was received by the County on September 26, 2013; and

WHEREAS, MidPen has designed a cohesive 46-unit project of 26 units on APN 048-211-25 located in the County and 20 units on APN 019-226-42 located in the City, and has submitted applications for Design Review from the County and for a discretionary Planned Development (PD) entitlement from the City as concurrent actions; and

WHEREAS, because the 46-unit MidPen affordable housing project straddles the City and County boundary, a Memorandum of Understanding was prepared to address how building plan checks and inspections will occur and to designate the distribution of development impact fees and municipal services mitigation payments, and to designate the jurisdiction responsible for services to the 46-unit MidPen development project; and

WHEREAS, on April 23, 2014, after a duly noticed public hearing, the Planning Commission considered and found that the proposed development will be consistent with all parts of the General Plan and County Code and is in compliance with the provisions of CEQA; and unanimously voted to recommend approval of the project requests by the Board of Supervisors;

WHEREAS, the Board of Supervisors for the County of Santa Cruz held a public hearing on the subject Application No. 131265 on May 20, 2014; and has considered the staff report and presentation, all testimony and evidence received at the public hearing, and the recommendations of the Planning Commission; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the board of Supervisors hereby makes the following findings and takes the following actions:

- 1. The Board of Supervisors has reviewed the 2009 Certified Environmental Impact Report (EIR) and the 2014 Addendum to the EIR associated with this project, and finds, on the basis of the whole record before it, that there is no substantial evidence that the project will have a significant effect on the environment, and that the Certified EIR and 2014 Addendum to the EIR reflect the independent judgment and analysis of the County of Santa Cruz;
- 2. The material which constitutes the record of proceedings upon which the Board's decision is based shall be located in the offices of the Clerk of the Board, located at 701 Ocean Street, Santa Cruz, California; and

ATTACHMENT 1

3. The Board of Supervisors hereby finds that the development is consistent with all applicable codes and policies of the Santa Cruz County Zoning Ordinance, General Plan and Local Coastal Plan.

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4. The Board of Supervisors hereby approves the Design Review for the 26-unit residential housing development based upon the findings contained in Exhibit A and with the Conditions of Approval contained in Exhibit B.

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EXHIBIT A: Findings for Compliance with PUD

 All applicable requirements of the approved Planned Unit Development (PUD) Ordinance #5048, as modified by the PUD Ordinance adopted by the Board of Supervisors on this date, have been met.

This finding can be made in that the project is consistent with all applicable requirements of the approved Planned Unit Development and all applicable General Site Standards (Section I) have been met related to circulation and parking, requirements for structures, site standards, wetland area buffers, storm water management, open space, site planning, architectural and building design standards, materials and colors, landscaping standards, and lighting. The project is not phased and proposes to share some of the requirements with the adjacent development on the City of Watsonville APN 019-226-42 which is appropriate in that the two project proposals are being processed concurrently and the projects will result in one unified housing development. Conditions of approval have been included to require design details required by the PUD at the building permit stage of the permitting process. Conditions of approval are included to require that building permit plans show any additional required compliance with the PUD requirements including site lighting restrictions and the establishment of a re-aligned vehicular access easement granted to APN 048-211-24 (PG&E parcel).

2. All applicable requirements of the Site, Architectural and Landscape Design Review (Chapter 13.11) unless modified by the PUD, have been met (SCCC Section 13.11.052).

This finding can be made in that the project is consistent with all applicable requirements of Chapter 13.11 of the Santa Cruz County Code that were not modified by the PUD. Specifically: natural site amenities have been preserved and incorporated into the site design; the development is being coordinated with the residential project on the north adjacent City parcel, with smaller structures at the parcel frontage and the larger, three story structure at the interior to provide a transition between the existing single family neighborhood and the new housing development; conditions of approval will ensure full compliance with the regulations for recycling collection facilities; no signage will be placed on the subject parcel; noise has been addressed with the incorporation of buffering landscaping along the property lines adjacent to residential uses and with the locations of the community open space areas opposite existing residential areas and shielded by the housing structure; pedestrian pathways have been provided from street and parking areas to the central use areas of the development; a bus stop is located about 1,000 feet southwest of the parcel at the corner of Freedom Blvd. and Clifford; and the proposed parking area is screened from adjacent residential properties and from the public street view with landscaping and buildings. Other requirements included in Chapter 13.11 are not applicable or are included as requirements of the PUD.

3. All requirements and standards of the Zoning Regulations (Title 13, Chpater 13.10) and Environmental and Resource Protection Regulations (Title 16), unless modified by the PUD, have been met.

This finding can be made in that the regulations required by Title 13 and Title 16 have been incorporated into the mitigation measures of the certified EIR and Addendum and the conditions of approval of the PUD, including but not limited to site development standards, wetland and riparian corridor protection, archaeological and geotechnical review, protection of commercial agricultural lands, and traffic and stormwater impacts. The City of Watsonville Water Department operates in compliance with the state model for water efficient landscaping; therefore, the County requirements are not applicable. Additionally, a geotechnical report review was reviewed and accepted by County Environmental Planning Staff and conditions of approval require development to comply with all recommendations of the accepted report. Preliminary grading review of the plans has been approved for feasibility and will be further reviewed under a grading permit application.

Application #: 131265 APN: 048-211-25

Owner: Mid-Penninsula The Farm Inc.

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EXHIBIT B:Conditions of Approval

Exhibit C: Project Plans, 46 sheets, prepared by Dahlin Group, dated 4/14/14.

This permit authorizes the design of a 26-unit, affordable, for-rent, residential development within a 3 story, 39,754 square foot building. This approval applies only to the proposed development to be constructed simultaneously with City APN 019-226-42. The approved development is not intended to be a stand-alone project. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:

- A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
- B. Obtain Building Permits from the Santa Cruz County Building Official.
 - 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
- C. Obtain a Demolition Permit from the Santa Cruz County Building Official.
 - 1. Each structure shall be inspected by a qualified environmental specialist for the presence of asbestos containing materials (ACMs) and lead based paints (LBPs). If ACMs and LBPs are found during the investigations, a remediation program shall be developed to ensure that these materials are removed and disposed of by a licensed contractor in accordance with all federal, state and local laws and regulations. Any stained soils or surfaces underneath the removed materials shall be sampled. Subsequent testing shall indicate the appropriate level of remediation necessary and a work plan shall be prepared in order to remediate the soil in accordance with all applicable federal, state, and local regulations prior to issuance of a grading permit (MM 3.7-3a and MM 3.7-3b)
- D. Obtain a Grading Permit from the Santa Cruz County Building Official.
 - 1. Prior to issuance of a grading permit, the project applicants shall retain a qualified hazardous materials professional to conduct a Phase II Soil Investigation in order to adequately test the surface soil and subsurface soil for pesticide residues in accordance with the Department of Toxic Substances and Control (DTSC) and CalEPA Guidance Manual Interim Guidance for Sampling Agricultural Fields for School Sites, Second

Revision (DTSC and CalEPA 2004) to provide a uniform approach for evaluating former agricultural properties where pesticides have been applied. The soil sampling and testing program shall be subject to review and approval by the City of Watsonville and County of Santa Cruz. Soil sampling and testing shall include, but not be limited to the following in accordance with the DTSC and CalEPA guidance documents: sampling the freshwater marsh in the western portion of the planning area adjacent to the former agricultural areas of the planning area; sampling each area of a parcel which historically produced different agricultural crops; sampling of one surface soil sample from zero to six inches and one sub-surface sample from two to three feet with the minimum number of samples based on the size of the parcel; and analytical testing for these samples for pesticide residues including, but not limited to, DDT and its derivatives DDD and DDE, toxaphene, dieldrin, and aldrin.

In the event that subsequent testing indicates the presence of pesticide residues beyond acceptable thresholds, the potential health risks shall be evaluated and a work plan prepared in order to remediate the soil in accordance with all applicable federal, state, and local regulations. All subsequent testing and remediation activities are subject to review and approval by the County of Santa Cruz Environmental Health Department and the City of Watsonville prior to issuance of a grading permit. (MM 3.7-9)

- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "C" on file with the Planning Department. Any changes from the approved Exhibit "C" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
 - 1. One elevation shall indicate materials and colors as they were approved by this Design Review.
 - 2. Plans shall show the final location of a recorded access easement granted to APN's 048-211-24 (PG&E parcel) and 019-226-42 (MidPen housing, city parcel).
 - 3. Plans shall show compliance with all the lighting requirements in the approved PUD and in Chapter 13.11 of the County Code.

4. Plans shall show the installation of permanent signage to be placed at the perimeter of the wetland buffer area that clearly states that people and their pets should not enter the wetland area or associated buffer due to the presence of sensitive habitat. (MM 3.4-3j)

- 5. All utilities shall be constructed underground.
- 6. Plans shall show that all existing mature trees are retained to the extent possible. Removed trees shall be replaced with in-kind species and vegetation structure within the planning area. Tree replacement shall be indicated on landscape plans subject to review and approval by the County of Santa Cruz Planning Department. (MM 3.4-4a)
- 7. Plans shall include details showing compliance with the Section 13.11.072(E) of the Santa Cruz County Code with regards to Recycling Collection Facilities.
- 8. Plans shall reference the accepted geotechnical report and include a statement that the project shall conform to the report's recommendations.
- 9. Plans shall show the specific locations of all septic tanks located on APN 048-211-25 and shall indicate that the septic tanks will be removed and properly disposed of at an approved landfill facility. (MM 3.7-6)
- 10. Grading, drainage, and erosion control plans.
 - a. A final drainage plan shall be submitted with an analysis demonstrating maintenance of the predevelopment 2-year, 2-hour release rate and storage as well as the 5-year predevelopment release rate while providing storage volume for the post development 25-year storm consistent with the County of Santa Cruz performance standards or equivalent methods, and retaining the existing functions of storage, filtration, infiltration and evaporation of stormwater. The final drainage control plans shall include: detailed hydrologic modeling, existing facilities, soil and topographic data; erosion control and best management practices; descriptions of proposed flood control facilities; Low Impact Development (LID) techniques; compliance with waste discharge requirements; phasing and implementation; identification of the entity that is responsible for facility design and construction; Clean Water Program compliance; and facility maintenance to ensure long-term vegetation maintenance and access. All drainage improvements shall be subject to review and approval by the County of Santa Cruz Public Works Director and the City of Watsonville Public Works Director. County Public Works staff shall confirm that the onsite stormwater detention facilities have

Application #: 131265 APN: 048-211-25

Owner: Mid-Penninsula The Farm Inc.

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been constructed in accordance with approved plans.

- b. In order to comply with the National Pollution Discharge Elimination System (NPDES), requirements for construction of site storm water discharges, project applicants shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) if construction exceeds one acre or more within the planning area. The SWPPP shall specify how the discharger will protect water quality during construction activities subject to review and approval by the County of Santa Cruz Planning Department or the City of Watsonville Community Development Department. These measures shall include but are not limited to the following:
 - design and construction of cut and fill slopes in a manner that will minimize erosion;
 - protection of exposed slope areas;
 - control of surface water flows over exposed soils;
 - use of wetting or sealing agents or sedimentation ponds;
 - limiting soil excavation in high winds;
 - construction of berms and runoff diversion ditches; and
 - use of sediment traps, such as weed-free straw bales and/or straw waddles.

In addition, project applicants shall implement the following measures during construction activities within the planning area:

- Stabilize and revegetate all areas of disturbed soil with appropriate native species. Monitor revegetation success and take remedial measures as necessary;
- When hay or straw is used in erosion control, ensure that it is weed free;
- If possible, conduct work during low- or no-flow periods. Consult weather forecasts from the National Weather Service at least 72 hours prior to performing work that may result in sediment runoff; and
- Inspect and clean all equipment of soil containing noxious or invasive weeds or fungus before arriving on site. If any imported fill material is necessary to bring to the site, present evidence certifying the material is void of any noxious or invasive species or pollutants. (MM3.8-2)
- c. Please note: The property owner is responsible for obtaining any and all necessary temporary and/or long term easements/access agreements, etc., to complete drainage improvements off-site and to address impacts to the drainage course between the site and the City maintained storm drain system in Brewington Avenue.
- 11. The building plans must include a roof plan and a surveyed contour map

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of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site which clearly depict the total height of the proposed structure. Maximum height is 37 feet.

- 12. Details showing compliance with all requirements of Cal Fire/Pajaro Valley Fire District.
- 13. Meet all accessibility requirements of the most current California Building Code.
- 14. Plans shall show that all fireplaces proposed for future residential development within the planning area shall be gas-fired and meet U.S. Environmental Protection Agency (EPA) certification requirements. The use of wood-burning fireplaces or wood burning stoves shall be prohibited in perpetuity on all residential properties included within the modified project and shall be recorded on the title of all parcels and run with the land. (MM 3.3-3)
- 15. The applicant shall consider implementation of MBUAPCD-recommended mitigation. Plans shall identify and incorporate emission reduction measures and staff may recommend additional measures as practical and feasible including the following:
 - Incorporate energy-efficient appliances into residential uses.
 - Orient buildings to minimize heating and cooling needs;
 - Provide shade trees to reduce cooling needs;
 - Include energy-efficient lighting systems;
 - Include solar water heaters or centralized water heating systems; and
 - Increase insulation beyond Title 24 requirements to minimize heating and cooling needs. (MM 3.3-3)
- B. The existing access easement to APN 048-211-24 (PG&E parcel) shall be modified and recorded to allow for continued access over the subject parcel.
- C. All units shall be connected for water service to the City of Watsonville Water Department. All requirements of that water department including the payment of connection charges shall be met prior to the issuance of any building permit. Engineered improvement plans for all water line extensions required by City of Watsonville Water Department shall be submitted for the review and approval of the water agency.

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- 1. Proof of LAFCO approval of the Extraterritorial Water Service by the Watsonville Water Department will be required prior to issuance of the Building Permit.
- D. A water management plan is required to allow for the installation of a master water meter with separate sub meters for each unit. The water management plan shall be submitted to the City of Watsonville Water Department for review and approval. The plan shall including the following details:
 - 1. A plan for monitoring tenants' domestic water consumption in terms of targeted per-capita consumption rates; and
 - 2. A plan for informing and educating tenants regarding the targeted per capita water consumption rates and ways to reduce consumption to meet the rates.

The property owner shall report the performance of the project, with regards to meeting the per capita water consumption rates, to the City of Watsonville Water Department every three months.

- E. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
- F. Meet all requirements of the County Department of Public Works, Stormwater Management.
- G. Meet all requirements and pay any applicable plan check fee of the Cal Fire/Pajaro Valley Fire Protection District.
- H. Submit 2 copies of the complete soils report and addendums prepared and stamped by a licensed Geotechnical Engineer.
- I. Submit an owner-agent approval form with the building permit application to allow construction to take place on the adjacent parcel owned by Pacific Gas and Electric Company. The form shall be signed by an authorized representative of PG&E.
- J. Pay all impact fees and the municipal services mitigation payment as required by the 2014 Memorandum of Understanding between the City of Watsonville and the County of Santa Cruz.
- K. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.

L. Submit a copy of a State approved stormwater pollution control plan prepared in compliance with State Water Resources Control Board Construction General Permit regulations and the corresponding WDID number.

- M. Consistent with Policy 5.13.31 (Agricultural Notification Recordation for Land Divisions) in the Santa Cruz County General Plan, project applicants within the planning area shall file a Right-to-Farm Notification Statement to run with the Title as disclosure and notice in deeds at the time of transfer or sale of the property. The statement shall inform any future property owners of the continuation of agricultural activities, including agricultural processing, in the area and shall disclose the potential effects of agricultural activities on adjacent land uses to future residents. (MM 3.2-2c.)
- N. The owner shall record a Declaration of Restriction that prohibits the use of wood-burning fireplaces or wood burning stoves in perpetuity on the residential property and shall submit proof of recordation to the Planning Department. (MM 3.3-3)
- O. File an overflight easement with the City of Watsonville to run with the title of the property as disclosure and notice in deeds at the time of transfer or sale of the property. The disclosure shall inform future property owners that their property is located in an airport approach zone and that the City of Watsonville has the right to regulate or prohibit light emissions, either direct or indirect which may interfere with pilot vision; regulate or prohibit release into the air any substances that would impair the visibility or otherwise interfere with the operation of aircraft including steam, dust, and smoke; and regulate or prohibit electrical emissions which would interfere with aircraft communication systems or navigational equipment. The easement shall run with the land until such time the Watsonville Municipal Airport is no longer in use.(MM 3.7-10)
- P. Submit proof to the County that a Municipal Services Mitigation Payment has been paid to the City of Watsonville pursuant to an agreement between the City and MidPen. (MM 3.12-1)
- Q. Submit evidence that all construction personnel have attended a "Species Sensitivity Training" program that shall provide instruction on western pond turtle identification, status and detailed protocol of the actions that should be taken in the event that a western pond turtle is encountered onsite during construction activities. This program shall be designed to educate construction personnel about the mitigation measures required for the execution of the project. All construction personnel shall attend the sensitivity training. (MM 3.4-3f)
- R. After building permit plans are prepared that are acceptable to all reviewing agencies, a signed and stamped Soils (Geotechnical) Engineer Plan Review Form shall be submitted to Environmental Planning. Please note that the plan review form must reference the final plan set by last revision date. Any updates to the



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report recommendations necessary to address conflicts between the report and the plans must be provided via a separate addendum to the soils report. The author of the report shall sign and stamp the completed form. An electronic copy of the form may be found on our website at www.sccoplanning.com.

- S. The project applicants shall hire a qualified hazardous materials consultant with Phase I and/or Phase II experience to review files for the off-site property located at 1488 Freedom Boulevard prior to construction activities during all phases of the modified project. Should files indicate that the property located at 1488 Freedom Boulevard may have impacted the planning area, Phase II testing shall occur to confirm or deny the presence of contaminated groundwater prior to construction activities. If unanticipated contaminated groundwater is found during construction activities, the project applicants shall ensure that proper safety/handling procedures are followed involving contaminated groundwater within the planning area during phase 1a and 1b/Remainder of the modified project subject to review and approval by the City of Watsonville and County of Santa Cruz. (MM3.7-8a)
- T. Submit a copy of the construction contract(s) which include the following noise control measures:
 - 1. Limit construction that involves motorized equipment to Monday through Friday from 7:30 am to 4:30 pm to avoid the times of day and the days of the week when noise effects would cause the greatest annoyance to residents and to those using the area for recreation;
 - 2. Allow exceptions to the specified construction hours only for construction emergencies and when approved by the County of Santa Cruz Planning Department. (MM 3.10-1a)
- U. In order to mitigate traffic impacts of the project, the applicant shall pay all required Traffic Impact fees to the City of Watsonville for 20 units and Transportation and Roadside Improvement Fees to the County of Santa Cruz for 26 units.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to and during construction activities, the following conditions shall be met:
 - A. Prior to any site disturbance, all development impact fees shall be paid pursuant to a Memorandum of Understanding between the County of Santa Cruz and the City of Watsonville.
 - B. Prior to any site disturbance, a sign shall be posted on site that is clearly visible to adjacent land uses and that provides the phone number for the public to call to register complaints about construction-related noise problems. A single disturbance coordinator shall be assigned to log in and respond to all calls. All verified problems shall be resolved within 24 hours of registering the complaints.

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(MM 3.10-1a)

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- C. The planning area provides potential wintering habitat for the ferruginous hawk (a 'Bird of Conservation Concern'), nesting and wintering habitat for the white tailed kite (a 'Fully Protected Species'), and nesting habitat for the yellow warbler (a CDFW 'Species of Special Concern'), as well as other common raptor and bird species; therefore, construction activities and the clearing of vegetation shall occur outside of the breeding season (February through August).
 - 1. If the project applicant cannot avoid construction activities during the breeding season a qualified wildlife biologist shall conduct avian nest surveys prior to construction activities that may disturb nests (e.g. vegetation clearing, tree removal, grading, large equipment operation, or demolition) within the Atkinson planning area. These surveys shall include special-status birds, and all birds (and their nests) protected under the MBTA, and shall encompass the planning area and a 200-foot-wide buffer, to examine nearby tree stands and structures. If an active nest is found, it will be necessary to consult with the appropriate resource agencies (CDFW, USFWS) to determine appropriate construction buffers or other avoidance measures. If nesting or wintering special-status birds are not found, no further action would be necessary. (MM3.4-4b)
 - 2. If the project applicant cannot avoid construction activities during the breeding season (February through August) and cannot clear vegetation prior to the breeding season, a qualified biologist shall conduct a specific yellow warbler nest survey in the riparian and scrub habitats of the Atkinson planning area during phases 1a and 1b/Remainder of the modified project during this period. If active nests are found within the planning area, a minimum 250-foot construction buffer shall be established during the peak of the warblers breeding season (April through July), or until the young have fledged. A qualified biologist shall monitor the activity of any warbler nests to determine when construction activities may re-commence within the established buffer area. (MM3.4-4c)
- D. Prior to initiation of project activities including, but not limited to, vegetation, snag, and tree removal and demolition of structures on Assessor Parcel Numbers:, 019-226-042, 048-211-25, 048-221-09, or loud construction-related noise within the work area, the County of Santa Cruz Planning Department and the City of Watsonville Community Development Department shall require that project applicants within the planning area implement the following measures:
 - 1. Conduct a pre-construction survey for bats over a minimum of four visits at least 15 days prior to the beginning of tree/vegetation removal, building demolition and other project activities, to determine if the area is being actively utilized by bats for spring/summer maternity colonies (April to September). Surveys shall also include determining if any trees or

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buildings marked for removal have characteristics that make them suitable bat roosting habitat (e.g., hollows, broken limbs, crevices, etc.). For any trees/snags that could provide roosting space for bats, thoroughly evaluate the trees/snags to determine if a colony is present prior to trimming or cutting. Visual inspection, trapping, and acoustic surveys may be utilized as initial techniques. Special permits from CDFW are required if trapping is conducted. Removal of any native riparian tree shall be preceded by a thorough visual inspection of foliage to reduce the risk of displacing or harming foliage roosting bats. If no roosting bats are observed, no further mitigation would be required.

- 2. If a tree or structure is determined not to be an active roost site, it may be immediately trimmed or removed. If the tree or structure is not trimmed or removed within four days of the survey, repeat night survey efforts.
- 3. Removal of occupied trees/snags or structures shall be mitigated for by the creation of a snag or other artificial roost structure within suitable habitat located in the planning area. With the input from a professional bat specialist and coordination with CDFW, design alternative roost structure(s) that provide suitable habitat for evicted or displaced bats. Depending on the species, artificial roost structures may not be appropriate. Coordinate with CDFW for acceptable mitigation alternatives.
- 4. Protect maternity colonies that have pre-volant young (not yet able to fly). If active bat roosts are observed during the maternity roosting season, avoid disturbing the roost until after all juvenile bats are able to fly from the roost. The project biologist must confirm there are no pre-volant young present before a colony is displaced. It is assumed that after September 1 colonies have no pre-volant young.
- 5. Coordinate with CDFW and a biologist that is permitted to handle special-status bats to develop appropriate exclusion methods if necessary. Project activities involving potential disturbances to roosting bats shall correspond with the time frame stated in the California Fish and Game Commission regulations. The CFGC stipulates bats may be excluded from occupied roosts in two time periods; between September 1 and October 15 and between February 15 and April 15 (CFGC 2006). If bats are found roosting within these time frames, it may be necessary to passively exclude them from trees or structures scheduled for removal. If necessary, prior to initiating project activities, passive exclusion methods shall be installed for a minimum of two weeks and monitored by a qualified biologist within the appropriate time frames above. At a minimum, monitoring efforts shall include conducting acoustic and evening emergence surveys. (MM 3.4-5)
- E. A minimum of 48 hours prior to initiation of project activities, project applicants shall have a USFWS-approved biologist conduct California red-legged frog (CRLF) preconstruction surveys. Pre-construction surveys shall consist of two days and two nights, spaced a week apart, with notification to the USFWS. (MM

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3.4-2b)

- F. Before and during clearing of vegetation, or initial ground disturbing activities, a qualified biologist shall conduct a preconstruction survey for the WPT (MM 3.4-3i)
- G. If western pond turtles (WPT) are observed on the project site prior to or during construction activities, the turtles shall be captured, held, and cared for in coordination with the CDFW. All captured pond turtles shall be tagged and fully documented at the time of capture (e.g., number, sex, age, carapace length, weight, overall condition, etc.). All non-native turtles that are captured shall also be documented and not returned to the wild. (MM 3.4-3e)
- H. All captured western pond turtles shall be permanently relocated under the direction of the qualified herpetologist in consultation with CDFW. (MM 3.4-3a)
- I. Prior to construction, western pond turtle exclusionary fencing shall be established around the perimeter of the 50-foot wetland buffer area around the freshwater marsh and seasonal wetland to prevent any potentially uncaptured western pond turtles from entering construction areas. The fencing shall be marked by highly visible signage indicating that human activity is prohibited within these areas. A qualified biologist shall be present during placement of the exclusionary fencing to ensure that no pond turtles are present or impacted. The establishment of pond turtle exclusion fencing shall only occur between the months of September and March outside of the breeding season. (MM3.4-3d and 3.4-3g)
- J. To avoid harming WPT that may have evaded trapping, project applicants shall implement the following measures during construction:
 - 1. Where trenching occurs, provide an escape ramp at each end of the open trench to avoid entrapment. The ramp may be constructed of dirt fill, wood planking, or other suitable material that is placed at an angle of 30 degrees or less. Backfill open segments of trench as soon as possible to avoid entrapment.
 - 2. At the beginning of each day, check under all parked equipment for WPT before use. If any WTP are observed under equipment or within the work area, do not disturb or handle it. Cease project activities and contact the CDFW and the City or County for further guidance.
 - 3. During project activities, all trash that may attract predators shall be properly contained, removed from the work site and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.
 - 4. All fueling and maintenance of vehicles and other equipment and staging areas shall not occur within or near wetland and/or riparian habitats or water bodies. A plan to allow a prompt and effective response to

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accidental spills shall be developed. All workers shall be informed of the importance of preventing spills and of the appropriate measures to be taken should a spill occur. The agencies should be contacted regarding spills if the approved biologist anticipates that impacts to WPT may occur as a result of the spill.

- 5. Smoke in areas clear of vegetation and away from hazardous materials. Dispose of cigarette butts in an appropriate area away from the planning area. (MM3.4-3h)
- K. Project applicants shall ensure that all construction and staging activities occur outside of APN 048-211-24 (PG&E parcel) containing Santa Cruz tarplant during all phases of the modified project. Prior to construction activities, project applicants shall install temporary construction fencing and informative signs around the perimeter of APN 048-211-24 as construction occurs in the vicinity of this parcel. The location and integrity of the fence shall be verified in the field by County or City staff prior to grading and periodically checked throughout the construction period. Following construction, project applicants within the County Entitlements Area shall install permanent fencing around the perimeter of APN 048-211-24. (MM3.4-1)
- L. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.
 - 1. If human remains of Native American origin are discovered during ground-disturbing activities, project applicant(s) shall comply with state laws relating to the dispositions of Native American burials, which falls within the jurisdiction of the California Native American Heritage Commission (NAHC) (Public Resources Code, Section 5097.98). If human remains are discovered or recognized in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the planning area or any nearby area reasonably suspected to overlie adjacent human remains until:
 - a. The Santa Cruz County Sheriff-Coroner has been informed and has determined that no investigation of the cease of death is required, and
 - b. If the remains are of Native American origin,
 - i. the descendants from the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and

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- any associated grave good as provided in the Public Resources Code, Section 5097.98, or
- ii. The California NAHC was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the NAHC. (MM 3.5-1c)
- M. Areas of active disturbance shall be limited to no more than 2.2 acres per day for initial site preparation activities that involve extensive earth moving activities (grubbing, excavation, rough grading), or 8.1 acres per day for activities that involve minimal earth moving (e.g. finish grading) during all phases of construction activities within the Atkinson planning area in accordance with the Monterey Bay Unified Air Pollution Control District CEQA Guidelines. If the modified project requires that grading and excavation exceed those acreages, project applicants shall implement the following fugitive dust measures during grading and excavation and incorporate these measures on all grading plans for future development within the planning area subject to review and approval by the County of Santa Cruz Planning Department or the City of Watsonville Community Development Department: (MM 3.3-1)
 - Water all active construction areas at least twice daily;
 - Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard;
 - Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;
 - Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites;
 - Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets;
 - Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more);
 - Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.);
 - Limit traffic speeds on unpaved roads to 15 mph;
 - Install appropriate best management practices or other erosion control measures to prevent silt runoff to public roadways;
 - Replant vegetation in disturbed areas as quickly as possible;
 - Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site;
 - Limit the area subject to excavation, grading and other construction activity at any one time;
 - Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints (the person shall respond to complaints and take corrective action within 48 hours); and

- Ensure that the phone number of MBUAPCD is visible to the public for compliance with Rule 402 (Nuisance).
- N. Once the tanks are removed from APN 048-211-25, the applicant shall coordinate a visual inspection of the areas beneath and around the removed tanks with the Environmental Health Department. Any stained soils observed underneath the septic tanks shall be sampled and results of the sampling (if necessary) shall indicate the level or remediation efforts that may be required. In the event that subsequent testing indicates the presence of any hazardous materials beyond acceptable thresholds, a work plan shall be prepared subject to review and approval by the County of Santa Cruz Environmental Health Department in order to remediate the soil in accordance with all applicable federal, state, and local regulations prior to issuance of a grading permit. (MM 3.7-6)
- O. The project applicant shall coordinate with the County of Santa Cruz Environmental Health Division to ensure that project applicants properly close and abandon all groundwater wells within both phases of the modified project pursuant to applicable federal, state, and local regulations prior to grading activities. Soils located within the vicinity of the water wells shall be inspected. If any stained soils are observed surrounding the water wells shall be sampled and in the event that subsequent testing indicates the presence of pesticide residues beyond acceptable thresholds, the potential health risks shall be evaluated and a work plan shall be prepare in order to remediate the soil in accordance with all applicable federal, state, and local regulations prior to issuance of a grading permit. (MM 3.7-7)
- P. If unknown wastes of suspect materials are discovered during construction, the project applicants shall immediately stop work in the vicinity of the suspected contaminant; remove workers and the public from the area; notify the County of Santa Cruz Planning Department or the City of Watsonville Community Development Department; secure the area as directed by the Project Engineer; and notify the Hazardous Waste/Materials Coordinator. In the event that testing indicates the presence of hazardous materials beyond acceptable thresholds, a work plan shall be prepared in order to remediate the soil in accordance with all applicable federal, state, and local regulations prior to issuance of a grading permit. (MM3.7-8b)
- IV. Prior to final building inspection, the applicant/owner must meet the following conditions:
 - A. All site improvements shown on the final approved Building Permit plans shall be installed.
 - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.

C. The project must comply with all recommendations of the approved soils reports. The soils engineer must remain involved with the project during construction.

V. Operational Conditions

- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- VI. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY and the SANTA CRUZ FLOOD CONTROL AND WATER DISTRICT ZONE 7, its officers, employees, and agents, all collectively the "COUNTY" from and against any claim (including attorneys' fees), against the COUNTY, it officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
 - A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
 - B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
 - 1. COUNTY bears its own attorney's fees and costs; and
 - 2. COUNTY defends the action in good faith.
 - C. <u>Settlement</u>. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
 - D. <u>Successors Bound</u>. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.

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Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

Please note: This permit expires three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

Please note: This approval applies only to the proposed development to be constructed simultaneously with City APN 019-226-42. The approved development is not intended to be a standalone project.

Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Planning Commission, may appeal the act or determination to the Board of Supervisors in accordance with chapter 18.10 of the Santa Cruz County Code.

ORDINANCE NO.	

0714

ORDINANCE RESCINDING ORDINANCE #5048 AND GRANTING A PLANNED UNIT DEVELOPMENT AS ALLOWED BY SANTA CRUZ COUNTY CODE RELATING TO ESTABLISHMENT OF DEVELOPMENT STANDARDS FOR APNS: 048-211-25, 048-221-09

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

Ordinance #5048 enacted on June 9, 2009 is hereby rescinded.

SECTION II

A Planned Unit Development is hereby granted to the property located between Atkinson Lane and Brewington Avenue, in the Pajaro Valley Planning Area, also known as the Atkinson Lane Housing Site, and shown on Exhibit A attached hereto and subject to the conditions shown on Exhibit B, attached hereto.

SECTION III

The Board of Supervisors hereby adopts the recommendations of the Planning Commission for the Planned Unit Development as described in Section I, and adopts their findings in support thereof without modification as set forth below:

- 1. That the proposed location of the uses are in accordance with the objectives of the County Code and the purposes of the district in which the site is located.
- 2. That the proposed location of the Planned Unit Development and the conditions under which it would be operated or maintained will not be detrimental to the public's health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
- 3. That the proposed Planned Unit Development will comply with each of the applicable provisions of Chapter 18.10 of the County Code.
- 4. That the standards of dwelling unit density, site area and dimensions, site coverage, yard spaces, heights of structures, distances between off-street loading facilities and landscaped areas will produce a development that is compatible with and integrated into the surrounding built and natural environment consistent with the objectives of the County Code.
- 5. That the standards of dwelling unit density, site coverage, yard spaces, heights of structures, distances between structures, off-street parking, and off-street loading facilities will be such that the development will not generate more traffic than the streets in the vicinity can carry and will not overload utilities.
- 6. That the combination of different dwelling and/or structure types and the variety of land uses in the development will complement each other and will harmonize with existing and proposed land uses, structures, and the natural environment in the vicinity.

Atkinson PUD

- 7. That the degree of departure from the required development and density standards is roughly proportional to the benefits provided to the neighborhood and/or the community in which the Planned Unit Development is located.
- 8. That the proposed development is consistent with the General Plan/Local Coastal Program Land Use Plan.

SECTION IV

The Board of Supervisors hereby adopts the recommendations of the Planning Commission for the Development Permit as described in Section I, and adopts their findings in support thereof without modification as set forth below:

- 1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.
- 2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.
- 3. That the proposed use is consistent with all elements of the County General Plan and with any Specific Plan which has been adopted for the area.
- 4. That the proposed use will not overload utilities, and will not generate more than the acceptable level of traffic on the streets in the vicinity.
- 5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.
- 6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

		SECTION V	
This c	ordinance shall become effective	ve 31 days after adopt	tion.
PASS	ED AND ADOPTED this	day of	2014 by the Board of Supervisors
of the County	of Santa Cruz by the following	ng vote:	
AYES:	SUPERVISORS		
NOES:	SUPERVISORS		
ABSENT:	SUPERVISORS		
ABSTAIN:	SUPERVISORS		

Chairman of the Board of Supervisors

ATTACHMENT 2

Atkinson PUD

Attest:

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Clerk of the Board

County Counsel

EXHIBIT A

0717

Planned Unit Development Conditions of Approval

Property located between Atkinson Lane and Brewington Avenue, in the Pajaro Valley Planning Area.

APNs: 048-211-25, 048-221-09

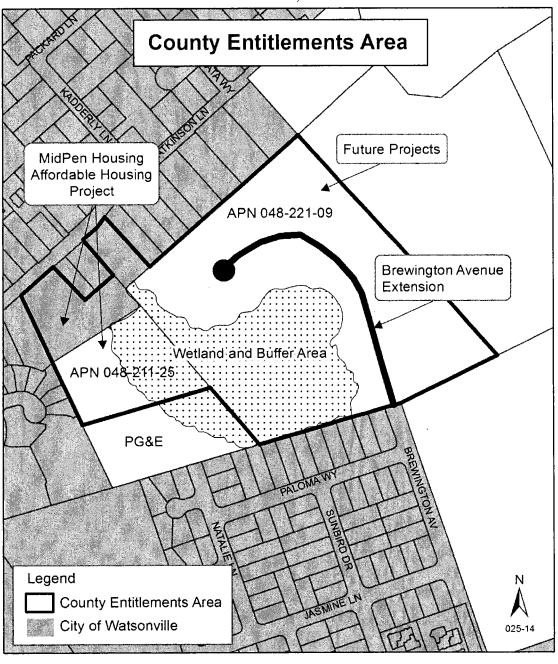


EXHIBIT B

Planned Unit Development Conditions of Approval

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Property located between Atkinson Lane and Brewington Avenue, in the Pajaro Valley Planning Area.

APNs: 048-211-25, 048-221-09

This 16.8 acre site contains 10.0 useable (developable) acres, 1.3 acres on APN 048-211-25 and 8.7 acres on APN 048-221-09, equating to a total <u>development potential on county parcels</u> of 200 dwelling units, 26 on APN 048-211-25 and 174 on APN 048-221-09; of these, 30 total affordable units are required under County Code Section 17.10.030(b)(1), 3 <u>units</u> plus an in-lieu fee for 0.9 of a unit on APN 048-211-25, and 26 <u>units</u> plus an in-lieu fee for 0.1 of a unit on APN 048-221-09, and 51 total affordable units are required under County Code Section 17.10.030(b)(6), 7 on APN 048-211-25 and 44 on APN 048-221-09. Development of this site is by-right in that the use and density for the site are not discretionary. A Level VII design review hearing is required.

The EIR evaluating this PUD also evaluates adjacent land area for development by the City of Watsonville. This PUD addresses only two cited parcels above, and the County will not be responsible for the remainder of the development plan discussed in the EIR.

The term "County Entitlements" is introduced in the Settlement Agreement that the Santa Cruz County Farm Bureau, the County of Santa Cruz, and the City of Watsonville entered into on 2/14/2011 and refers to the County's actions on June 9, 2009 related to this project. The "County Entitlements Area" evaluated by the 2009 EIR and its 2014 Addendum also includes APNs 019-226-42 (MidPen parcel) and 019-236-01 (Lamb parcel) located within the City of Watsonville, which are considered to have a development potential of an additional 20 units that the Settlement Agreement allows to be considered for approval by the City of Watsonville.

I) General Site Standards

- A) All requirements and standards contained in Section 13.10.475 through 13.10.478 of the County Code (Regional Housing Needs "R" Combining District) shall be applicable unless expressly modified by the conditions of this Planned Unit Development (PUD).
- B) <u>Development Standards</u>. The following development standards supersede the development standards in the County Code. Unless specifically defined below, developments must meet all required development standards in the County Code at the time the Design Review application is deemed complete. All of the site standards contained within Chapter 13.10 shall be applicable unless modified by this Planned Unit Development.
 - 1) Circulation and Parking Requirements
 - (a) Parking requirements.
 - (i) 1.5 spaces per studio or one-bedroom unit;
 - (ii) 2.0 spaces for two-bedroom unit;

- (iii) 2.5 spaces for three-bedroom unit; and
- (iv) 3.0 spaces per four-bedroom unit.

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- (v) An additional 20% of the total number of parking spaces to accommodate guest parking.
- (vi) The Board of Supervisors, as part of the Design Review Permit, may consider a reduction to the required on-site parking standard above. Any request shall include an on-site parking management plan prepared by a traffic engineer.
- (vii) The maximum number of required parking spaces that may be compact in size shall be as specified in County Code Section 13.10.553 (e) or its successor ordinance.
- (viii) The standards for off-street parking facilities as outlined in County Code Section 13.10.554 at the time of application is deemed complete shall apply.
- (b) <u>Circulation Requirements.</u> Primary access through the PUD area will be provided via a collector street that will extend north from Brewington Avenue to be constructed by the <u>first</u> developer of APN 048-221-09 (<u>Lamb parcel in County</u>) the <u>Phase I Development Area</u>. An emergency-only access road through APN 019-236-01 (<u>Lamb parcel in City</u>) will serve <u>future both the Phase I and Phase 2 D development Areas</u> on APN 048-221-09. This emergency access road shall not be used for primary access to the project site and shall only be used for secondary access if the extension of <u>Brewington Avenue up to and including the roundabout is completed through a development project.</u> An access road from Atkinson Lane along the existing vehicular easement leading to the PG&E site will provide access to APN 048-211-25.
- (c) Roadway Design. The following standards shall apply to roadways on the project site:
 - (i) Right-of-Way Width:
 - 32 feet for access to APN 048-211-25: two 12-foot travel lanes and an 8-foot parking shoulder on east side only,
 - 52 feet for Brewington Avenue extension (Collector Street): from east to west, 6-foot sidewalk, 8-foot parking shoulder, 4-foot bike lane, two 12-foot travel lanes, 4-foot bike lane, and 6-foot sidewalk. (eastern sidewalk, parking lane, and bike lane, to be constructed only after removal of the interim agricultural buffer)
 - 20 feet for two-way interior driveways,
 - 12 feet for one-way driveways, and
 - 20 feet for the temporary emergency-only access through APN 019-236-01 to APN 048-221-09
 - (ii) Improvements: Where possible, pedestrian improvements shall connect with existing infrastructure in the surrounding neighborhoods.
- (d) <u>Bicycle Storage</u>. A minimum of one lockable storage space for bicycle storage shall be provided for each dwelling unit. This lockable storage space may be located within a larger exterior storage area provided for the unit, or in a garage.

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(e) <u>Accessibility</u>. Developments must meet accessibility requirements of Title 24 of the Building Code or successor code in effect at the time the Building Permit application is submitted.

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(i) Accessible parking shall be provided consistent with California State Law. This applies to the design and location of parking spaces, number of accessible spaces provided, and accessible path of travel through the development and to the public right-of-way.

2) Requirements for Structures

- (a) <u>Number of Stories</u>. A maximum of three (3) stories as defined by the County Code exclusive of subsurface parking is allowed.
 - (i) Three stories are allowed except in areas restricted to a two-story maximum, as delineated in Section I.B.2.a(ii) below, in order to provide a logical transition between existing neighborhoods and higher density development.
 - (ii) To reduce bulk and mass, efforts shall be made to provide articulation and architectural features and to provide a transition from the adjacent properties. This transition shall be achieved by the following:
 - Restricting buildings to 28 feet and two stories in height adjacent to existing homes located along Atkinson Lane. See Section I.B.3.b for further detail.
 - Requiring buildings facing public roads to incorporate features such as stepback heights, articulation, variations in finishes, glazing, building separation and varied roof heights.
- (b) <u>Height.</u> Height of three-story structures may be up to 37 feet, exclusive of sub-surface parking, and the height of two-story structures may be up to 28 feet, exclusive of subsurface parking. Height will be measured in accordance with the provisions of County Code Section 13.10.477.
 - (i) For any structure proposed to be within 2 feet of the maximum height limit, the building plans shall include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site, that clearly depict the total height of the proposed structure above preconstruction natural grade and finished grade.

3) Site Standards

- (a) <u>Lot Coverage and Floor Area Ratio.</u> Lot Coverage Site Standards and Floor Area Ratio Site Standards specified in County Code Section 13.10.323 (b) do not apply.
- (b) <u>Setbacks</u>. The following setbacks are established from the perimeter of the subject property, as shown on Exhibit A, to the structures in aggregate and are as follows:
 - (i) APN 048-211-25, located west of wetlands
 - North: 3 feet if developed in conjunction with adjacent City parcel, otherwise 10 feet.

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• West: 5 feet from 32-foot wide access roadway, located along the existing vehicular easement

• East: outside 50-foot wetland buffer 0721

• South: 10 feet

(ii) APN 048-221-09, located north and east of the wetlands

• Phase 1 Development Area:

• 1. North: 15 feet for 2 story structures, 20 feet for 3 story structures

• 2. West: outside 50' wetland buffer

- 3. East: outside interim 200' agricultural buffer or 3 feet if developed in conjunction with the adjacent City parcel.
- 4. South: outside 50' wetland buffer and not less than 15 feet from the property line.
- Phase 2 Development Area:
 - 1. North: 15 feet for 2 story structures, 20 feet for 3 story structures
 - 2. West: outside 50' wetland buffer
 - 3. East: 3 feet if developed in conjunction with adjacent City parcel, otherwise 10 feet
 - 4. South: 15 feet
- (iii) For projects involving a Tentative Map, the interior setbacks and lot size shall be established through the Design Review process and are not subject to obtaining a Residential Development Permit under County Code Section 13.10.323(d)(1)(A) or its successor ordinance.
- (c) Wetland Area. A Riparian Exception approving a buffer of 50 feet from the edge of the delineated wetland area on the property is included with the adoption of this PUD. Inside this buffer limited activities will be permitted, including placement of interpretive signage at the perimeter of the buffer. and the execution of ecological restoration activities including the removal of exotic plant species and establishment of native species. No lighting will be placed within the riparian buffer.
 - (i) Restoration of the wetland and the removal of non-native species from the pond area and buffer is required. A comprehensive management plan/wetland protection program shall be submitted to the County Planning Department for review and approval concurrent with the Level VII Design Review Permit application, and should be developed in conjunction with the Habitat Enhancement Plan detailed in Section IX.C. MM3.4-3b_3g if such a plan is required.
 - (ii) A Riparian Exception is granted by this PUD for the encroachment, installation, and maintenance of drainage outlets and energy dissipaters <u>into the 50 foot buffer area, and interpretative signage</u> under the following conditions:
 - No disturbance is allowed <u>within below the ordinary high water mark of</u> the mapped wetland. <u>other than restoration activities required by Section IX of</u> this PUD.

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- Prior to issuance of the building permit for the first permanent structure, drainage plans complying with the requirements of this PUD, particularly 0722 those related to runoff-reduction and Low Impact Design guidelines, shall be reviewed and approved by both DPW Drainage and Environmental Planning.
- Prior to issuance of the building permit for the first permanent structure, the applicant shall provide the County with a copy of the California Department of Fish and Game (CDFG) Wildlife (CDFW) 1602 Streambed Alteration Agreement, or a statement from the CDFG CDFW that no permit is required for the restoration and drainage improvement construction activities to occur within the wetland or wetland buffer area.
- (d) Stormwater Management. Consistent with Section IX.G. 3.8 MM 3.8-1a and MM 3.8-1b, development in the PUD area within the County Entitlements Area will utilize the wetland for stormwater retention and the developer or developers shall be responsible for providing a detailed final drainage plan and analysis demonstrating maintenance of the predevelopment 2-year, 2-hour release rate and storage as well as the 5-year predevelopment release rate while providing storage volume for the post development 25-year storm, and retaining existing functions of storage, filtration, infiltration and evaporation of stormwater. Phase I shall be responsible for the construction of a temporary detention basin, located in the Phase 2 Development Area, to mitigate the increase of stormwater runoff from the PUD area. The temporary detention basin shall be sized appropriately to accommodate run-off generated of Phase 1 of the PUD area. The Developer of the Phase 2 Development Area shall be responsible for the design and construction of a drainage system sufficient to limit run off-to predevelopment levels for a range of storm events up to the 25 year storm event. The application of appropriate erosion control measures at this location shall be required.
 - (i) Final drainage plans shall include information regarding detailed hydrologic modeling; existing facilities; soil and topographic data; erosion control and best management practices (BMPs); descriptions of proposed flood control facilities; Low Impact Development (LID) techniques; compliance with waste discharge requirements; phasing and implementation; identification of the entity that is responsible for facility design and construction; Clean Water Program compliance; and facility maintenance to ensure for long term vegetation maintenance and access.
 - (ii) Low Impact Design (LID) techniques that maximize infiltration, minimize runoff volumes and rates, and minimize pollutant loadings, shall be incorporated into the project design. Such practices would include:
 - Providing on-site treatment for low-flow storm events
 - Enhancing treatment of off-site flows
 - Providing vegetated swales for water quality treatment
 - Designing for large event flood control
 - Incorporating landscape features that enhance water quality; and
 - Limiting the post-development runoff rate and volume to the predevelopment runoff rate and volume, to the maximum extent possible.

- (e) Open Space. The open space requirements specified in County Code Section 13.10.323 e(6)F shall not apply. Instead, the developer will be required to provide a minimum of 50 square feet of private open space per unit, and a minimum of 150 square feet of common open space per unit. Common open space may consist of active or passive recreation space, designed with both children and adults in mind.
 - (i) The Design Review process shall determine the final configuration and location of open space on-site, with special consideration for the opportunity to incorporate passive open space adjacent to the wetland area and active areas that are safe and observable from adjacent housing units.
- (f) <u>Signs.</u> Any signs shall comply with Section 13.10.580 or any successor ordinance and the location and design shall be reviewed and approved as part of the Design Review process. The following signs are allowed:
 - (i) A non-illuminated temporary sign pertaining to the sale, lease or rental of a dwelling and limited to six square feet in size or less.
 - (ii) A permanent identification sign, in-directly illuminated, of 12 square feet or less.
- (g) <u>Site Planning</u>. The following guidelines shall be used in evaluating a development proposal during the Level VII Design Review Permit process.
 - (i) Where natural features exist, such as wetlands and drainages, open spaces should be preserved and used to frame and define residential areas.
 - (ii) Grading should limit the visual distinction between graded and adjacent natural landforms and be contoured to blend into adjacent open spaces.
 - (iii) Varied building heights are encouraged, both to provide visual interest and give the appearance of a collection of smaller structures. Building heights at the edge of the subdivision should be considered within the context of the project's surroundings, the adjacent uses, and should create a transition from the heights of adjacent existing residential development rather than form abrupt height changes. Section I.B.2.a(ii) addresses this concept in further detail.
 - (iv) Arrange unit types to provide a logical transition between existing neighborhoods and higher density portions and provide complete consistent streetscapes along existing street frontages.
 - (v) Orient buildings and associated improvements to minimize noise, light, glare, and other visual impacts to adjacent residential neighborhoods.
 - (vi) Use buildings, landscaping, contrasting paving, and site design to frame neighborhood gateways and define common open spaces.
 - (vii) Utilize permeable materials for walkways, driveways, alleys, and patios where possible and locate impervious areas to drain into bioswales or other stormwater detention features.
 - (viii) Incorporate Best Management Practices (BMPs) for bioretention systems.
 - (ix) Site orientation and building design should consider the use of alternative energy sources and passive solar design concepts.



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- (x) The siting of multi-family buildings should consider the existing 0724 neighborhood context. Where buildings are not configured around courtyards, gathering areas, and open spaces, they should be oriented parallel to the public street or the internal streets, with some setback variation to provide visual relief.
- (xi) Public, communal, and private spaces should be clearly distinguishable.
- (xii) Ground floor units should have direct access from streets and common spaces.
- (xiii) Entry drives should be designed to create a positive identity for the project. Landscape and site design should frame and distinguish entry drives.
- (xiv) Parking should be unobtrusive and not disrupt the quality of common spaces and pedestrian environments. It should be distributed throughout the site in discrete courts and shall be screened by landscaping or buildings.
- (xv) Services should not be visible from public areas. Trash bins, utility meters, transformers, and other service elements should be enclosed or otherwise concealed from view.
- (xvi) Common open space should be centrally located, have a physical and visible connection to public open space, and connected to each project's internal pedestrian system.
- (xvii) Common spaces should incorporate play equipment for children and adults that are sized to accommodate the anticipated level of use and located such that they are safe and observable from adjacent areas. Additionally, a properly sized community garden site shall be provided.
- (xviii) The construction of road and/or utility stub outs that can be easily used for future development on APN's 048-231-01, 048-231-17, 048-231-18 (portion of), and 048-251-09 and which are not part of the project authorized by the County Entitlements or that would give credence to any argument that development of the Specific Plan Area was envisioned by and should be considered as part of the project authorized by the County Entitlements, shall be prohibited as part of any county-approved entitlements that use the 2009 EIR and its 2014 Addendum. All utility connections and road access are independent of the Watsonville Specific Plan Area and the County shall not take any action with respect to development in the County Entitlements Area that would necessitate or encourage the development of a Wagner Avenue Extension.
 - The above paragraph shall not apply to use of APN 019-236-01 for secondary access purposes. APN 019-236-01 shall not be used for primary access to the project(s) authorized to occur within the County Entitlements Area consistent with the EIR and its Addendum, and shall only be used for secondary access if the project(s) authorized by the County entitlements completes the proposed extension of Brewington Avenue up to and including the roundabout depicted within the County Entitlements Area.
- (h) <u>Architectural and Building Design Standards.</u> The following guidelines shall be used in evaluating a development proposal during the Level VII Design Review Permit process.

- (i) The requirements of Chapter 13.10 relating to distance between structures shall not apply.
- (ii) Provide a variety of architectural styles using high quality architectural materials.
- (iii) All facades, including side and rear elevations, should have the same vocabulary of forms, details, and materials.
- (iv) Create visual interest through the use of articulated facades, forms, and color, but maintain consistent architectural style and details on both the exposed facades of corner lots. Break up large wall and roof surfaces using three dimensional elements on facades, such as chimneys, balconies, bay windows or dormers.
- (v) Incorporate energy-efficient building siting standards and materials.
- (vi) Building forms should be articulated by varying roof heights and wall planes. Long, unbroken volumes and large, unarticulated walls and planes shall not be permitted.
- (vii) Roof forms should cover the entire width and depth of buildings. Superficial roof forms (such as mansards affixed to the building) or false fronts, facades and parapets, shall not be allowed.
- (viii) Flat roofs are strongly discouraged.
- (ix) Individual entries should have a strong relationship with a fronting street, internal walkway, or courtyard, as appropriate to the overall siting concept. A transitional area from the public space or walkway to the private dwelling unit entry, such as a porch, steps, or landscape walkway, should be provided.
- (x) Each dwelling unit's entry should be differentiated through architectural elements such as porches, stoops, or roof canopies, and detailing. Opportunities should be provided for residents to personalize their entry by providing ground level space or wide ledge for potted plants.
- (xi) Stairways, fences, trash enclosures, and other accessory elements shall be designed as integral parts of the architecture. Manufactured components attached to the outside of buildings, such as stairways and shed, shall be prohibited.
- (xii) On-site mechanical equipment visible from buildings or a public street should be screened.
- (i) <u>Materials and Color.</u> The following guidelines shall be used in evaluating a development proposal during the Level VII Design Review Permit process.
 - (i) Architectural design within each residential subdivision should use a palette of materials that convey an image of quality and durability.
 - (ii) Color should be used as an important design element and should be natural or muted tones. Appropriate use of more than one predominant paint color is encouraged. Compatible accent colors are encouraged to enhance important building elements.
 - (iii) Painted surfaces should use colors that reinforce architectural concepts and are compatible with natural materials such as brick or stone.

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- (iv) Structures designed with obvious references to styles or periods should be consistent with that style or period.
- (j) <u>Landscaping Standards</u>. The following guidelines shall be used in evaluating a development proposal during the Level VII Design Review Permit process.
 - (i) All developable site areas not covered by structures, walkways, driveways or parking spaces shall be landscaped.
 - (ii) Use specimen trees and accent plant materials at major focal points, such as entries or where major walkways intersect with common open space areas.
 - (iii) Landscaping should support the distinction and transition between private, common and public spaces.
 - (iv) Design landscaping that is permanent with automated irrigation. Water-intensive plants, such as lawns and flowering exotics, should be used sparingly as accents.
 - (v) Use drought tolerant, native landscaping and drip irrigation is encouraged in common area landscaping.
 - (vi) Vines and climbing plants on buildings, trellises, walls and fences are encouraged, both to provide an attractive appearance and to minimize graffiti.
 - (vii) Parking lots should be generously landscaped to provide shade, reduce glare and provide visual interest. Parking lots shall provide shade trees (of at least 15 gallon in size) for each four (4) spaces, and should be screened from view with architectural walls, berms or shrubs where possible.
 - (viii) Incorporate natural features and existing trees into the landscape plan to the extent practical and feasible.
- (k) <u>Lighting.</u> The following guidelines shall be used in evaluating a development proposal during the Level VII Design Review Permit process.
 - (i) Provide lighting for specific tasks (i.e., illuminating common areas, parking, driveways, paths, and entryways).
 - (ii) Lighting should be mounted on architecturally designed fixtures that are consistent throughout the subdivision and are less than 16 feet in height, and preferably lower.
 - (iii) Place and design outdoor lighting around buildings, in parking lots, and along streets to prevent excessive "spillover" glare into adjacent residential and habitat areas and minimize night sky illumination.
 - (iv) Lighting in parking areas should be arranged to prevent direct glare into adjacent dwelling units and onto neighboring uses/properties.
 - (v) Incorporate cutoffs into light fixtures to screen the view of light sources from residences.
- (l) <u>Agricultural Buffer (Interim)</u>. The following guidelines and requirements shall be used in evaluating a development proposal for the Phase 1 Development Area of APN 048-221-09.
 - (i) The interim As applicable, an Agricultural Buffer shall be shown on all plans for project(s) located on the development of the Phase 1 Development Area of

- APN 048-221-09, and indicated as non-developable land. The only development activities that will be permitted in this area are those related to the construction and maintenance of the Brewington Avenue extension, described in further detail under Section 1.B.3(l), below.

 0.72.7
- (ii) A 200 foot interim Agricultural Buffer shall be established on APN 048-221-09 consistent with County Code Section 16.50.095 with the following exceptions:
- (iii) The only development activities that will be permitted in this area are those related to the construction and maintenance of the Brewington Avenue extension, described in further detail under Section 1.B.3(1), below.
- (iv) Vegetative barriers or other physical barriers such as walls or fencing 6 to 8 feet tall shall be installed within the agricultural buffer area. Such barriers shall be located as close to the urban development as possible, but in no case shall they be closer than 10 feet from any new roadway or structure, in order to allow for appropriate landscaping.
 - The Brewington Avenue extension If the Brewington Avenue extension is located within the Agricultural Buffer, it shall be oriented along the western edge of the interim Agricultural Buffer to the extent that this alignment facilitates good site planning. All non-auto uses including parking, bike lanes, sidewalks or any other pedestrian use shall be limited to the western roadside only until such time as the interim Agricultural Buffer is no longer required.
 - The interim Agricultural Buffer shall not be used for public recreation, park purposes, trails, picnic areas, roads (other than Brewington Avenue Extension) or sidewalks or other similar uses that would encourage public use of the buffer area.
 - The construction and maintenance of the Brewington Avenue extension and other infrastructure needed to support the County project(s) authorized by the County Entitlements shall be permitted within the Agricultural Buffer.

II) Project Review

- A) Entitlements. All entitlements, with the exception of the building permit application review shall be processed concurrently at Level VII, subject to the processing provisions of 13.20.100, 18.10.210, 18.10.332, and 18.10.211.
- B) <u>Tentative Map.</u> If a Tentative Map approval is required, it must be included in the application. A Residential Development Permit, as required by Section 13.10.323(d)(1)(A), is not required.
 - 1) Development that includes approval of a Tentative Map is subject to the provisions of the Subdivision Map Act and Chapter 14.01. Where a Tentative Map is proposed, the public hearing shall be expanded to address findings necessary under the Subdivision Map Act. Wherever possible the environmental review performed at the time the PUD is adopted will be utilized in the processing of the Tentative Map unless the Environmental Coordinator determines that additional California Environmental Quality Act (CEQA) review is required based upon the available information.
- C) <u>Phasing.</u> In the event that the PUD site is developed as multiple phases, the following requirements shall apply: <u>Phasing.</u> The PUD area may accommodate multiple development

projects. The development area consists only of the County Entitlement Area parcels and does not include parcels that comprise a possible future City Specific Plan Area, as follows:

County Entitlements Area	Specific Plan Area	
048-211-25 (MidPen County Parcel)	048-251-09	0728
048-221-09 (Lamb County Parcel)	048-231-18	
019-226-42 (MidPen City Parcel)	<u>048-231-01</u>	
019-236-01 (Lamb City Parcel*)	048-231-17	
* emergency access only)	019-226-43	
	019-226-44	

- 2) Phase 2, as shown on Exhibit A, shall only be built in coordination with City actions to proceed with annexation of the adjacent land to the City of Watsonville
- 1) An emergency access point off of Atkinson Lane will be required, through APN 019-236-01, for the development of APN 048-221-09. This emergency access may be abandoned at such time as Brewington Lane is connected to Atkinson Lane with the annexation and development of the adjacent parcels to the east by the City of Watsonville.
- 2) The development of APN 048-221-09 will also require the construction of the Brewington Extension roadway and the extension of the south-bound left-turn pocket at Crestview Drive/Freedom Boulevard intersection required by Section IX.K. 3.13 of this PUD
- 3) 4)The two APNs that compose this site may be developed as separate projects, and cost of on-site work related to drainage and wetland restoration shall be shared between the two parcels.
- 4) 5) APN 048-221-09 may be subdivided and developed as separate projects, providing that all requirements of the Subdivision Map Act are met, and providing that the entire parcel is master planned in a manner consistent with this PUD. The Master Plan must include, but is not limited to, elements such as roads, utilities, open space, and interior setbacks.
 - (a) Each phase of development shall be responsible for its fair share of the 40% affordable housing requirement, unless an alternative plan for the distribution of affordable units is approved at the time of the first Level VII Design Review on each of the parcels.

III) Affordability and Financing

- A) <u>Affordability Level.</u> All development proposals for these parcels are required to provide a minimum of forty (40) percent, of the total number of units as affordable, as defined by County Code Section 13.10.475.
- B) Farm worker Housing. To the greatest extent feasible, development proposals that provide affordable housing opportunities for farm workers shall be given preference on APN's 048-221-09 and 048-211-25. In an effort to maximize outside funding sources for these development projects, the County and/or its development partner(s) will pursue all available

funding opportunities, including funds from the Farm Bureau or its affiliates for farm worker housing. County staff shall confer with the Farm Bureau though its attorneys Wittwer & Parkin LLP about the Farm Bureau's available funding prior to considering an application to the County for development proposal(s) on APN's 048-221-09 and 048-211-25. Nothing in this section is intended to conflict with or supersede the goals relating to affordable housing in the PUD pursuant to the County Entitlements as stated in the MOU between the City of Watsonville and the County of Santa Cruz, dated June 12, 2007.

C) Financial Liability

1) In the event that a developer believes that the affordable housing requirements for a project proposed for this site renders the project financially infeasible, the developer may request relief from a proportional amount of the affordability requirements. That request shall be submitted to the Planning Director with all supporting information, including the development pro forma for the project. The Planning Director shall analyze that request and make suitable recommendations to the Board of Supervisors. In the event that the Board finds that the developer has provided evidence that fulfillment of the affordable housing requirements renders the project financially infeasible, the Board shall grant an increase in the allowed unit resale price, above the price restrictions contained in Section 17.10.030(b)(1) and Chapter 17.10.030(b)(6) of the County Code, in an amount equal to that required to render the project financially feasible. In the event that such price modifications are granted, the developer shall grant the County Redevelopment Agency the option to purchase units at the revised sales price for the purpose of writing them down to suitable levels of affordability, consistent with the intent of this PUD.

D) Participation Agreement

1) Prior to Building Permit issuance or prior to filing of the Final Map, if one is required, the developer shall enter into a Certification and Participation Agreement with the County of Santa Cruz to meet the Affordable Housing Requirements specified by Chapter 17.10 of the County Code and as noted in PUD Sections III.A. and III.B. above.

E) Infrastructure

- 1) In order to provide for an equitable distribution of infrastructure costs between the City and the County, the developer shall be subject to the following conditions:
 - (a) The payment of all applicable County of Santa Cruz and City of Watsonville impact fees; as further described in a 2014 executed Atkinson Memorandum of Understanding between the County of Santa Cruz and the City of Watsonville, and as discussed in the 2014 EIR Addendum. and any additional fair-share costs for required improvements identified in Section IX of this PUD
 - (b) Impact fees, with the exception of the Childcare impact fee, shall be held by the County in trust for future off-site improvements in the area.
 - (i) TIA fees shall be provided to the City to address the project's fair share of cost for traffic improvements within the City Limits, as required by the EIR.
 - (ii) Park Impact fees shall be provided to the City provided the City completes annexation of the adjacent parcels by 2030, and commits to the construction of the extension of Crestview Park as outlined in the Atkinson Lane Specific Plan.
 - (iii) Regarding Drainage Impact fees, the Board of the Zone 7A Flood Control and Water Conservation District shall, in consultation with representatives of the

City of Watsonville, within 1 year of Level VII Design Review approval of the first project on the PUD site, develop a cost-sharing method for distribution of the Drainage Impact Fees between the County and the City, in the context of potential future annexation to the City of Watsonville.

F) Financing

- 1) The County and City shall develop a financing mechanism such as a <u>Municipal Services Mitigation Payment</u>, PILOT, CFD, CSA, or other tool to address any shortfall between tax revenues generated by the project and the cost of providing services to the area, as required by Section IX.J. 3.12 MM 3.12-1.
 - (a) If the City of Watsonville and the County of Santa Cruz have established a Community Facilities District for the PUD Area prior to final approval of a Level VII Design Review application by the County, the project applicant shall be subject to the conditions of that District.
 - (i) If the above condition is not met, the County shall, in the case of an application for the development of an affordable rental project, create a Municipal Services Mitigation Payment requirement as a condition of approval Payment In Lieu of Taxes program to meet the funding gap associated with the development.

IV) Design Review

A) Public Hearings

- 1) Development proposals shall undergo Design Review and a public hearing process limited to design issues only. No discretionary permit is required for the by-right density or use of the site. For development proposals under these by-right provisions, applicants must apply for a Level VII Design Review, which requires review at public hearing by the Planning Commission and Board of Supervisors. The Design Review Permit is valid for a maximum of three (3) years. In order for the Design Review Permit to be exercised, the building permit shall be issued within the three-year period.
 - (a) Requests for a time extension for the Design Review Permit shall be processed as a Level III permit review. The permit may be extended for one year up to five (5) times for a total permit life of eight years.

B) Development Standards

- 1) All requirements of the Site, Architectural and Landscape Design Review (Chapter 13.11) or successor ordinance in effect at the time a Design Review application is deemed complete for processing shall be applicable unless modified by this PUD.
- 2) All applicable requirements and standards of the Zoning Regulations (Title 13, Chapter 13.10) and Environmental and Resource Protection Regulations (Title 16) in effect at the time a Design Review application is deemed complete for processing shall apply unless modified by this PUD.
- 3) A geotechnical report shall be prepared for the site. Four copies of the report shall be submitted to the County for review at the time of project application and accepted prior to the application being determined complete. All requirements and recommendations of the approved report shall be incorporated into the project design. A Plan Review letter shall be submitted as part of the Design Review submittal and Building Permit Submittal. All



future development on the site shall comply with the requirements of the accepted geotechnical report prepared by a licensed geotechnical engineer.

<u>4)</u>

4) A restoration plan for the wetland area shall be prepared and submitted to the Planning Department for review at the time of the first project application, as required by Section I.B.3.c(i) of this PUD.

All future development on the site shall comply with the requirements and mitigations established by the EIR conducted for this project, on file with the County of Santa Cruz Planning Department.

C) Minor Variations

1) Minor variations to this permit that do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff, as a Level III permit.

D) Level VII Design Review Submittal Requirements

- 1) Preliminary Architectural and Site Plans
 - (a) Preliminary architectural and site plans, prepared by a licensed architect, meeting the standards established by the Planning Department for multi-family residential application submittal, shall be submitted. The plans shall incorporate, but not be limited to, all requirements contained in this PUD.
 - (b) The site plan shall clearly delineate all non-usable areas, including but not limited to:
 - (i) Wetland area and buffer, as shown on Exhibit A.

2) Utilities, Roads and Services

- (a) Submit proof of authority from the City of Watsonville to build the required emergency access road on APN 019-236-01 as specified in PUD Section II.C.2.1.
- (b) Submit preliminary engineered improvement plans to the Planning Department for all roads, curbs and gutters, storm drains, erosion control, and other improvements proposed or required by this PUD. Form and content of the plans shall meet the standards established by the Planning Department for multi-family residential application submittal, and shall meet the County's Design Criteria, except as modified by this PUD, in place at the time of Design Review Application Submittal.
 - (i) Preliminary improvement plans shall meet the following requirements:
 - All improvements shall be prepared by a registered civil engineer and shall meet the requirements of the County of Santa Cruz Design Criteria except as modified herein. Plans shall also comply with applicable provisions of Title 24 (Accessibility) of the State Building Code.
 - Preliminary drainage details including existing and proposed contours, plan views and centerline profiles of all driveway improvements, complete drainage calculations and all volumes of excavated and fill soils. This includes off-site work.
 - Preliminary grading plans must be submitted at time of application. The project design shall minimize grading on-site and off-site to the maximum

extent possible. This includes designing the grading and foundations to follow existing topography as much as possible. The grading plans shall include existing and proposed contours, plan views and centerline profiles of all driveway improvements, locations, and heights of all retaining walls, preliminary drainage design, grading cross sections through proposed building pads, and all volumes of excavated and fill soils. This includes all on-site and off-site work.

- Submit preliminary sanitation plans to the Department of Public Works for all sanitary improvements proposed or required by this PUD.
- For the first project applicant on APN 048-221-09, the design of the southbound left-turn pocket from Freedom Boulevard to Crestview Drive shall be submitted, in compliance with Section IX.K.3.13 MM 3.13-11a and b. 3.13-11.
- (ii) All road plans shall comply with all requirements of the Department of Public Works Road Engineering and shall be consistent with the County's Design Criteria for road construction. Right-of-way width shall be that described in PUD Section I.B.1.c.
- 3) A sign plan indicating the location and size of all signs on the site shall be submitted. The signs shall be consistent with the provisions of this PUD.
- 4) A current water will-serve letter from the City of Watsonville Public Works and Utilities Department (PWUD) shall be submitted to the Planning Department.
 - (a) Before obtaining this will-serve letter, developers shall be required to provide the County with proof that they have met the requirements of Section IX.L. 4.0 MM 4-3, requiring sufficient offsets for new water demand, at a rate of 1.2 gallons:1 gallon.
 - (b) The Local Agency Formation Commission (LAFCO) approval of extraterritorial water service will be required.
 - (c) All groundwater wells shall be properly abandoned and capped, in compliance with all state, federal and local regulations, as detailed in Section IX.F. 3.7 MM 3.7-7.
- 5) A current sanitary sewer will-serve letter from the City of Watsonville Public Works and Utilities Department (PWUD) shall be submitted to the Planning Department.
 - (a) The Local Agency Formation Commission (LAFCO) approval of an annexation into the PWUD Service Area, or extraterritorial sewer service, will be required prior to the issuance of a will-serve letter.
 - (b) Any existing septic systems shall be properly abandoned per County requirements, as detailed in Section IX.F. 3.7 MM3.7-6.
 - (c) Due to the property's topography, a private pump station may be required to sewer some or all of the developments structures. The pump station shall be designed and constructed to resemble the development and shall be privately maintained. An onsite private generator will be required to run the sewer pump(s) in case of power outage. Odor control shall be required on the pump.

V) Final Map Requirements and Timing.



If the project includes a Map, the following requirements shall be met prior to the final filing:

- A) <u>Drainage</u>. Final engineered drainage details shall be submitted to the County Planning and Public Works departments for both on- and off-site drainage work. Drainage plans for Phase I shall show the temporary detention basin designed with sufficient capacity to address the drainage impacts identified by the EIR and included in Section IX of this PUD. Drainage from road improvements shall be filtered and released into the new drainage system. A Construction Activities Stormwater General National Pollution Discharge Elimination System (NPDES) Permit shall be obtained form the State Water Resources Control Board.
 - 1) The allowable release rate from the site shall be limited to the volumes identified in Section IX.G. 3.8 MM 3.8-1a or less based on an assessment performed by a drainage engineer and reviewed and approved by the Department of Public Works Drainage. The safe overflow paths for any proposed mitigation system shall be described and analyzed, and techniques such as minimizing site disturbance, minimizing impervious areas, utilizing pervious surfacing, eliminating directly connected impervious areas, clustering development, etc shall be considered.
 - 2) All runoff from parking and driveway areas shall pass through water quality treatment prior to the wetland and/or interim drainage basin.
 - 3) Depending on the nature of the proposed development, Public Works staff may inspect the construction of the drainage related items.
 - 4) Fees will be assessed on the net increase in impervious area due to the development project. Semi-pervious surfaces will be charged at a 50% rate.
- B) <u>Roads.</u> Final engineered road improvement plans shall be submitted to the County Planning and Public Works departments for both on- and off-site road improvements.
- C) <u>Sanitation.</u> The applicant shall form a homeowner's association with ownership and maintenance responsibilities for all on-site sewers for this project. Reference to the homeowners association shall be included on the Final Map and in the association's Covenants, Conditions &Restrictions, which shall be recorded and include PWUD-approved language on maintenance responsibilities.
 - 1) The applicant shall provide a copy of the CC&Rs to the PWUD prior to the filing of the Final Map.
- D) <u>Recorded Conditions.</u> Proof must be submitted that the conditions of all required permits (such as Design Review, NPDES) have been recorded in the official records of the County Recorder.
- E) <u>Affordable Housing.</u> The developer must enter into an Affordable Housing Participation Agreement with the County of Santa Cruz.
- F) Fees. All applicable impact in-lieu-fees shall be paid as described in a 2014 executed Atkinson Memorandum of Understanding between the County of Santa Cruz and the City of Watsonville, and as discussed in the 2014 EIR Addendum.
 - 1) Park dedication in-lieu fees shall be paid for each dwelling unit. The fees in effect at the time of filing of a Final Map, if applicable, shall be paid.

- 2) Unless otherwise satisfied by meeting the requirements of County Code Chapter 15.04 or its successor ordinance, Child Care Development fees shall be paid for each dwelling unit. The fees in effect at the time of filing of a Final Map, if applicable, shall be paid.
- 3) Transportation improvement fees shall be paid for each dwelling unit. The fees in effect at the time of filing of a Final Map, if applicable, shall be paid.
- 4) Roadside improvement fees shall be paid for each dwelling unit. The fees in effect at the time of filing of a Final Map, if applicable, shall be paid.

VI) Building Permit Requirements and Timing.

Prior to the issuance of any building permit, all of the following conditions shall be met, some of which may have been met at the Final Map stage:

- A) Plans shall be consistent with the approved Design Review project and all requirements of this PUD.
- B) Final engineered drainage details shall be submitted to the Department of Public Works, Drainage for both on–site and off-site drainage work.
 - 1) The allowable release rate from the site shall be limited to the volumes identified in Section IX.G.3.8 MM 3.8-1a or less based on an assessment performed by a drainage engineer and reviewed and approved by the Department of Public Works Drainage. The safe overflow paths for any proposed mitigation system shall be described and analyzed, and techniques such as minimizing site disturbance, minimizing impervious areas, utilizing pervious surfacing, eliminating directly connected impervious areas, clustering development, etc shall be considered.
 - 2) All runoff from parking and driveway areas shall pass through water quality treatment prior to the wetland and/or interim drainage basin.
 - 3) Depending on the nature of the proposed development, Public Works staff may inspect the construction of the drainage related items.
 - 4) Fees will be assessed on the net increase in impervious area due to the development project. Semi-pervious surfaces will be charged at a 50% rate.
- C) Final engineered road improvement plans shall be submitted to the Department of Public Works, Road Engineering for both on–site and off-site road improvements.
- D) Submit proof that the conditions of all required permits (such as Design Review, Tentative Map) and all required Declarations of Restriction and Statements of Acknowledgment including those required by Section IX.A.3.2 MM 3.2-2c and Section IX.F. 3.7 MM 3.7-10 have been recorded in the official records of the County Recorder.
- E) All applicable <u>impact in-lieu</u> fees shall be paid <u>as described in a 2014 executed Atkinson Memorandum of Understanding between the County of Santa Cruz and the City of Watsonville, and as discussed in the 2014 EIR Addendum. All applicable <u>impact in lieu</u> fees shall be paid <u>prior to issuance of building permits</u>, if not paid at the time of the filing of the Final Map.</u>
 - 1) Unless otherwise satisfied by meeting the requirements of County Code Chapter 15.01 or its successor ordinance, park dedication in-lieu fees shall be paid for each dwelling unit. The fees in effect at the time of building permit issuance shall be paid.

- 2) Unless otherwise satisfied by meeting the requirements of County Code Chapter 15.04 or its successor ordinance, Child Care Development fees shall be paid for each dwelling unit. The fees in effect at the time of building permit issuance shall be paid.
- 3) Transportation improvement fees shall be paid for each dwelling unit. The fees in effect at the time of building permit issuance shall be paid. A credit may be allowed for installation of improvements off-site that are part of the Capital Improvement Program or otherwise required by the conditions of this PUD.
- 4) Roadside improvement fees shall be paid for each dwelling unit. The fees in effect at the time of building permit issuance shall be paid. A-credit may be allowed for installation of improvements off-site that are part of the Capital Improvement Program or otherwise required by the conditions of this PUD.
- 5) Fair-share <u>or impact</u> fees toward road improvements required by Section IX.K of this PUD shall be paid by the developer at the time of Building Permit issuance, and shared between the County and the City of Watsonville in accordance with the conditions of Section V.E. <u>F.</u> of this PUD.
- 6) Submit a written statement signed by an authorized representative of PVUSD confirming payment in full of all applicable developer fees and other requirements lawfully imposed at the time of building permit issuance. The applicant/developer is advised that the development may be subject to inclusion in a Community Facilities District.
- F) Plan review letters shall be obtained from the technical report authors indicating that the plans comply with the County approved technical report and all of their recommendations have been incorporated into the project plans, particularly the requirements of Section IX.E.3.6 MM 3.6-1 and MM 3.6-2.
- G) All requirements of the Pajaro Valley Fire Protection District shall be met with respect to access, turnarounds, fees, water availability and design features.
- H) The units shall be connected for sewer service to the City of Watsonville Public Works and Utilities Department. All regulations, conditions and connection fees of the Public Works and Utilities Department shall be met and paid. Off-site improvements may be required. Final engineered plans shall be submitted, which comply with all requirements and standards of the Public Works and Utilities Department.
 - 1) If a private pump station is proposed as part of the project, a private pump station and sewer system maintenance and response manual shall be outlined by the applicant and submitted to the Public Works and Utilities Department for review and approval.
- I) All units shall be served by the City of Watsonville Water Department. All requirements of that water district including the payment of connection fees and groundwater impact fees or activities shall be met. Engineered improvement plans for all water line extensions required shall be submitted for the review and approval of the Water Department. Off-site improvements may be required.
- J) Final engineered plans shall be submitted complying with all requirements and standards of the City of Watsonville Water Department.
- K) The developer shall enter into an Affordable Housing Participation Agreement.
- L) Prior to the final inspection or clearance of the building permit, all of the site improvements shown on the approved building permit plans and Design Review approval shall be installed/implemented.

VII) Construction Phase Requirements

- A) Prior to any site disturbance or physical construction on the subject property the following condition shall be met:
 - 1) Pre-Construction Meeting: In order to ensure that the mitigation measures are communicated to the various parties responsible for constructing the project, prior to any disturbance on the property the applicant shall convene a pre-construction meeting on the site. The following parties shall attend: applicant, grading contractor supervisor, project arborist, and Santa Cruz County Environmental Planning staff. The temporary construction fencing demarcating the edge of the riparian corridor setback and the tree protection fencing will be inspected at that time. Approval of the results of the pre-construction biotic surveys will be reaffirmed at this time. The receiving site for any exported fill will also be identified and County approved grading permits presented.
- B) No land clearing, grading or excavating shall take place between October 15 and April 15 unless the Planning Director grants a separate winter grading permit, which may or may not be granted.
 - 1) County standards for stormwater best management practices, including those related to erosion and sediment control during construction, shall be implemented.
- C) No land disturbance shall take place prior to issuance of building permits (except the minimum required to install required improvements, provide access for County required tests or to carry out work required by the conditions of an entitlement permit).
- D) Unless determined to be unnecessary by an archaeological field survey, an archaeologist shall be present on-site during all ground disturbance on the site.
- E) In the event that threatened or endangered plant or animal species are discovered on the site, the habitat areas for these species shall be avoided and no disturbance will be permitted. Section IX.C 3.4 details further requirements for developers of the PUD area in order to minimize the potential impacts of construction activities on sensitive species in the area.
- F) Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, and Section IX.D. 3.5 MM 3.5-1a and 3.5-1c of this PUD shall be observed.
- G) To minimize noise, dust and nuisance impacts of surrounding properties to insignificant levels during construction, the owner/applicant shall or shall have the project contractor, comply with the following measures as well as those delineated in Section IX.I. 3.10 MM 3.10-1 of this PUD, during all construction work:
 - 1) Limit all construction to the time between 7:30 am and 4:30 pm weekdays unless a temporary exception to this time restriction is approved in advance by County Planning to address an emergency situation; and
 - 2) Each day it does not rain, wet all exposed soil frequently enough to prevent significant amounts of dust from leaving the site.

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- H) The applicant shall designate a disturbance coordinator and a 24-hour contact number shall be conspicuously posted on the job site. The disturbance coordinator shall record the name, phone number, and nature of all complaints received regarding the construction-site. The disturbance coordinator shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.
- I) One (1) "construction/security trailer" (maximum 12 feet by 60 feet) is allowed on the site during construction. The size and location of the unit shall conform to all yard setbacks contained in the PUD and shall be shown on the plot plan. Compliance with Section 13.10.683 or any successor ordinance is required. A building permit is required for the installation of the construction trailer.

VIII) Mitigation Monitoring Program

- A) The mitigation measures listed in Section IX of this PUD consist of the updated mitigation measures per the 2014 EIR Addendum for the modified project. The mitigation measures have been incorporated in the conditions of this approval in order to mitigate or avoid significant effects on the environment. As required by Section 21081.6 of the California Public Resources Code, a monitoring and reporting program for the mitigations is hereby adopted as a condition of approval. The purpose of this monitoring is to ensure compliance with the environmental mitigations during implementation and operation. Failure to comply with the conditions contained within the PUD, including the terms of the adopted mitigation monitoring program, may result in the revocation of the PUD pursuant to section 18.10.462 of the Santa Cruz County Code.
- IX) Mitigation Measures, and Mitigation Monitoring and Reporting Program (MMRP)



Staff Report to the Planning Commission

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Application Number: 131265

Applicant: Mid-Penninsula The Farm Inc.

Agenda Date: April 23, 2014

Owner: Mid-Penninsula The Farm Inc.

Agenda Item #: 8 Time: After 9:00 a.m.

APN: 048-211-25

Project Description: Proposal to construct a 26 unit, for-rent, 100% affordable, residential development (Pippin Apartments) with related improvements, consistent with approved Planned Unit Development ordinance #5048. Requires a Level VII Design Review and Preliminary Grading Review.

Location: Property located on the south side of Atkinson Lane about 1,000 feet east of Freedom Boulevard (56 Atkinson Lane).

Supervisorial District: Fourth District (District Supervisor: Caput)

Permits Required: Level VII Design Review, Preliminary Grading Approval

Technical Reviews: Geotechnical Report Review

Staff Recommendation:

 Adopt the attached Resolution (Exhibit A), providing a recommendation to the Board of Supervisors to CONSIDER the 2009 EIR and 2014 EIR Addendum, APPROVE Application No. 131265, ADOPT the Amendment to Ordinance #5048, and ADOPT the amended Mitigation Monitoring and Reporting Program, based upon findings and with conditions of approval.

Exhibits

- A. Resolution with Findings and Conditions of Approval
- B. 2014 EIR Addendum, Appendix P: Amended Mitigation Monitoring and Reporting Program (all other appendices on-file with the Planning Department); Certified EIR (on-file with the Planning Department and available on the Planning Department website);
- C. Project plans
- D. Assessor's, Location, Zoning and General Plan Maps
- E. Proposed Amendment of Planned Unit Development Ordinance #5048 with minor modifications as per the 2011 Settlement Agreement
- F. Draft 2014 Memorandum of Understanding between the City of Watsonville and the County of Santa Cruz
- G. Settlement Agreement between the Santa Cruz County Farm Bureau, the County of Santa

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Cruz, and the City of Watsonville, date 1/20/11

H. 2007 Memorandum of Understanding between City of Watsonville and County of Santa Cruz, entered into on 6/12/07

I. Board of Supervisors Resolution No. 154-2009, Resolution No. 155-2009, Ordinance No. 5047, and Ordinance No. 5048, approved June 9, 2009.

J. Neighborhood Meeting Materials, August 29, 2013

K. PG&E letter of authorization for easement alterations, dated 2/14/14

L. Mitigation of Traffic Impacts for Atkinson PUD Memo, prepared by County of Santa Cruz Planning Department, dated 4/14/14

M. Comments & Correspondence

Additional documents on-file with the Planning Department:

a. Geotechnical Engineering Report, prepared by Earth Systems Pacific, dated 4/29/13

 Soils Report Acceptance Letter, prepared by County of Santa Cruz Environmental Planning Staff, dated 2/28/14

c. Preliminary Drainage Calculations, prepared by Whitson Engineers, dated 2/12/14

Parcel Information

Parcel Size:

2.4 acres (104,625 sq.ft.) with 1.3 net developable acres

Existing Land Use - Parcel:

Vacant

Existing Land Use - Surrounding:

Residential and agricultural

Project Access:

Via a private easement from Atkinson Lane Pajaro Vallev

Planning Area: Land Use Designation:

R-UH & O-U (Urban High Residential & Urban Open

Space)

Zone District:

RM-2-R & PR (Multifamily Residential - 2,000 square

foot minimum with Regional Housing Needs Site Combining District & Parks, Recreation, and Open

Space)

Coastal Zone:

__ Inside

X Outside

Appealable to Calif. Coastal Comm.

Yes X No

Environmental Information

Geologic Hazards:

None mapped

Soils:

Geotechnical Engineering Report submitted (on-file); reviewed and

accepted by Environmental Planning Staff.

Fire Hazard:

Not a mapped constraint. Site is primarily flat.

Slopes: Env. Sen. Habitat:

Presence of and impacts to environmentally sensitive habitat

assessed in certified EIR (Exhibit B).

Grading:

4,000 cy of cut & 2800 cy of fill (1200 net cy);

Tree Removal:

No trees proposed to be removed

Scenic:

Not a mapped resource

Drainage:

Proposed stormwater management plan to include on-site vegetated

biofiltration swales and stormdrain outlets to the wetland area.

Archeology:

Archival research conducted during the development of the PUD,

Application #: 131265 APN: 048-211-25

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revealed no previously recorded archaeological sites in this area and no cultural resources were noted during surface reconnaissance. Additional evaluation provided in the Certified EIR (Exhibit B).

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Services Information

Urban/Rural Services Line:

__ Inside __X_ Outside

Water Supply/Sewage Disposal:

City of Watsonville; annexation for extraterritorial water

and sewer services in process; LAFCO hearing scheduled

for May 7, 2014.

Fire District:

City of Watsonville Fire Department

Drainage District:

Flood Zone 7

History

APN 048-211-25 was one of the six sites selected by the County to be rezoned to the "R" (Regional Housing Needs Site) Combining Zone District in order to meet the Regional Housing Needs Assessment in accordance with state housing element law. Planned Unit Developments (PUDs) were developed to allow for the by-right development of residential housing to occur on the selected sites at a density of 20 units per acre.

The subject parcel is one of eleven contiguous parcels which were included in the original "Atkinson Specific Plan and PUD" project site area, seven of which are located within the County of Santa Cruz and four of which are located within the City of Watsonville (see table on next page).

Memorandum of Agreement 2007

At the time that the Atkinson Lane site was being considered by the Board of Supervisors as a candidate site for the rezoning program, representatives of the City of Watsonville raised concerns about the County's activities interfering with future annexation plans of the City, consistent with a 2002 voter referendum known as Measure U. As a result, the Board of Supervisors directed staff to create a plan in coordination with the City of Watsonville that would benefit both jurisdictions. On June 12, 2007, the Board of Supervisors authorized the County Administrator to sign a Memorandum of Agreement (MOU) between the City and County, which was intended to provide a clear process for working together towards a mutually beneficial outcome on the site, specifically, that a Planned Unit Development (PUD) would be developed for implementation of the portion of the plan within the County, that a Specific Plan would be developed for implementation of the portion of the plan located within the City's Measure U and General Plan designated future development areas, and that an Environmental Impact Report (EIR) would be developed that would apply to both planning areas (Exhibit H).

Planned Unit Development and City Specific Plan

A Planned Unit Development (PUD) and associated Environmental Impact Report (EIR) were developed to identify the required conditions of approval for the construction of a by-right housing development on the 16.8 acres of the project site area that are located within the County,

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which includes County APN's 048-211-25 and 048-221-09 (see Figure 1). The PUD includes conditions and mitigations pertaining to site standards, project review, affordability and financing, design review, final map requirements and timing, building permit requirements and timing, construction phase requirements, and a mitigation monitoring program.

Concurrent with the development of the PUD, a Specific Plan was developed with the City of Watsonville to address future development on the balance of the planning area upon annexation by the City (see Figure 1). At the time, it was determined that the City would utilize the County EIR for the adoption of the Specific Plan as per the California Environmental Quality Act (CEQA). The County adopted the PUD, which included a General Plan Amendment, Rezoning, and Riparian Exception (Exhibit I) and certified the Final EIR (Exhibit B) on June 9, 2009 for the 16 acre site, however, subsequent litigation altered the intended outcome of the plan.

Litigation and Settlement Agreement

A Settlement Agreement was reached in 2011 between the Santa Cruz County Farm Bureau, the County of Santa Cruz, and the City of Watsonville (Exhibit G). The Settlement Agreement makes a distinction between the following areas and describes the County approval of the PUD and associated actions, as the 'County Approvals'.

County Entitlements Area

County Entitlements Area				
(within existing City of Watsonville Sphere of Influence)				
52 Atkinson Lane	MidPen Housing parcel within City			
78 Atkinson Lane	Lamb parcel within City (access only)			
56 Atkinson Lane	MidPen Housing parcel within County			
no site address	Lamb parcel within County			
City Specific Plan Area				
no site address	Grimmer Orchards within County			
127 Atkinson Lane	Zepeda parcel within County			
no site address	Zepeda parcel within County			
no site address	Zepeda parcel within County			
68 Atkinson Lane	Espino parcel within City			
72 Atkinson Lane	Bechtel parcel within City			
no site address	PG&E parcel within County			
	n existing City of Watso 52 Atkinson Lane 78 Atkinson Lane 56 Atkinson Lane no site address City Specific no site address 127 Atkinson Lane no site address no site address 68 Atkinson Lane 72 Atkinson Lane			

Through the Settlement Agreement, both the City and County agreed that the EIR would not be used in connection with any action or proposal to develop or annex any, all, or portions of the City Specific Plan Area not included within the County Entitlements Area, and the City agreed that nothing in the County Approvals includes approval of the Specific Plan or an EIR covering the Specific Plan Area, or any elements of the Specific Plan or of the infrastructure therefore. As a result, the City of Watsonville has not proceeded in adopting the Specific Plan for the remaining 50 acres of the project site area (shown in Figure 1 as the City of Watsonville Project Site).

While the terms of the Settlement Agreement obviate the ability for the City of Watsonville to use the Specific Plan and certified EIR to develop the above described City Specific Plan Area, Application #: 131265 APN: 048-211-25

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the Settlement Agreement specifically exempts City parcels 019-226-42 (MidPen Housing Site) and 019-236-01 (intended to be utilized for secondary access to parcel 048-221-09), from this provision. Additionally, the terms of the Settlement Agreement do not restrict development consistent with the County Approvals as a by-right development consistent with the approved PUD on County APN's 048-211-25 and 048-221-09. As per the Settlement Agreement, the four above-referenced parcels make up the "County Entitlements Area" and may use the EIR and be considered for development, while the remaining balance of the original project site make up the "City Specific Plan Area" which is not allowed to use the EIR and which will require preparation of a new Specific Plan and EIR before any development could be considered for approval.

Thus, as shown in Figure 2 on the next page, the project area has been modified to remove the City Specific Plan Area from the proposed project planning area and to recognize the County Entitlements Area as the only developable area per the approved County PUD and Settlement Agreement.

Additionally, the terms of the Settlement Agreement require minor modifications to the PUD to include conditions related to farm worker housing opportunities, water offset requirements, restrictions of use within the agricultural buffer on APN 048-221-09, restrictions for secondary access through APN 019-236-01, and restrictions on development that could encourage or facilitate development within the City Specific Plan Area or that would necessitate or encourage the development of Wagner Avenue extension. The proposed amendments to the PUD also include changes based on updated information evaluated as a part of the proposed project. (Exhibit E)

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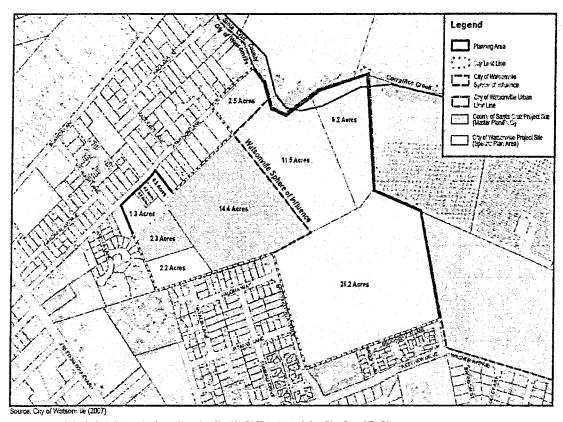


Figure 1. Original planning areas including the County PUD area and the City Specific Plan Area

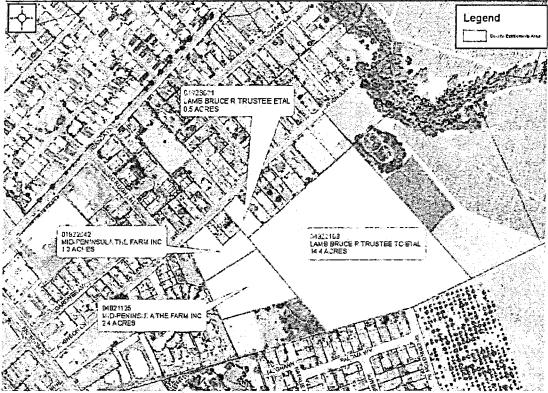


Figure 2. Revised Planning Area to only include the County Entitlements Area as per Settlement Agreement (Exhibit G)

Owner: Mid-Penninsula The Farm Inc.

Project Description & Consistency with PUD #5048

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The proposal before your Commission is to construct a 26-unit, affordable, for-rent, housing development (Pippen Lane) on County APN 048-211-25, which is located within the County Entitlements Area. Concurrent with the subject proposal, the City of Watsonville is considering a proposal to construct 20 units on the adjacent City APN 019-226-42. Although the proposed development would be located over two parcels that are within two different jurisdictions, the result would be one 46-unit housing development with 100% affordable, for-rent units. The City of Watsonville is considering approval of a Planned Development to allow for the proposed development within the city's jurisdiction; therefore, county consideration of the design review application is only applicable to the 26 units proposed on APN 048-211-25.

The proposed development would include three 1-bedroom units (798 sq. ft.), fifteen 2-bedroom units (929 sq. ft.), eight 3-bedroom units (1237 sq. ft.), a 1,215 sq. ft. multi-purpose room with a kitchen, a 294 sq. ft. computer room, storage facilities, and offices within a 39,754 square foot building. The tallest portion of the structure is 36 feet and is located on the south wing of the structure, which faces the existing PG&E substation on the south adjacent parcel.

The property owner is currently in the process of requesting LAFCO approval of extraterritorial water and sewer service from the City of Watsonville. The LAFCO public hearing for this project is set for May 7, 2014.

The density and use of the proposed project are permitted by-right; however, the proposal requires Design Review approval by the Board of Supervisors, with a recommendation from your Commission, to ensure compliance with the conditions of approval of the modified PUD #5048 (Exhibit E).

Site Standards

The proposed building described above meets all site standards as required by the PUD, as shown in the table below:

	Required as per County PUD #5048	Proposed
North Property Line	3' if developed in conjunction with adjacent City parcel	3'
West Property Line	5' from 32'-wide access Structure will be local roadway, located along the existing vehicular easement.	
East Property Line	Outside of 50' wetland buffer	Outside of 50' wetland buffer
South Property Line	10'	>100°
Height (3 story structures)	37'	36' max.
Lot Coverage/Floor Area Ratio (FAR)	Do not Apply	N/A
Open Space	50 sq. ft private/unit 150 sq.ft. common/unit	>50 sq.ft. /unit (balconies) 11,515 sq. ft. common (over city & county parcels)

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Parking

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	PUD Requirement	# of Required Parking Spaces
Spaces per Unit		
Studio or one bedroom	1.5	4.5 (3 units)
Two bedroom	2	30 (15 units)
Three bedroom	2.5	20 (8 units)
Subtotal		55
Guest Parking	20% of total required	11
TOTAL		66
Compact Spaces	SCCC 13.10.553(e)	30% max. allowable (for 51-80 total spaces required)
Accessible Spaces	CA State Law Requirements	3 (for 51-75 total spaces required)

The proposed project includes 85 parking spaces, 20 of which are compact, and 4 of which are accessible. The proposal exceeds the required on-site parking per the PUD because some of the required parking for the development on the City APN has been provided on the subject parcel. The maximum percentage of compact spaces is based on the County requirement of 66 parking spaces and the minimum percentage of accessible spaces is based on the total number of parking spaces provided on-site per state law.

Wetland Area

The proposed structure does not encroach into the 50 foot wetland buffer with the exception of two drainage dissipaters/outlets. The PUD approval included a Riparian Exception for the encroachment, installation, and maintenance of drainage outlets and energy dissipaters into the 50 foot buffer area and it was determined that the wetlands are isolated and are therefore not jurisdictional waters of the U.S. and are not regulated by the Corps under Section 404 of the Clean Water Act. Therefore, the proposed project complies with the PUD conditions of approval for wetland protection.

Site Planning

The proposed development consists of one building that includes one – three stories and that has been designed to create an interior courtyard which faces the wetlands. The north wing extends further towards the wetland buffer setback and has been designed to step down the slope to minimize grading and to blend into the adjacent open space area. The common open space areas and the windows and balconies on the units are directed towards the interior courtyard to overlook the wetland rather than the parking lot, driveway and adjacent residences. This orientation will minimize visual, noise, light, and glare impacts on neighboring residences.

The proposal includes a varied planting palette which is used to distinguish between larger

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communal open space areas and discrete courts which are provided throughout the development. Pedestrian environments are distinguished by paths, lighting, and plantings. The trash enclosure and backflow prevention devices have been appropriately buffered with tall, hedge-like plantings. The development includes a large open space area with a playground and grass turf that is located on the adjacent north adjacent parcel within the City of Watsonville jurisdiction.

The architectural design incorporates varied building heights by including a two-story portion at the northwest corner of the building, peaks and gables at the roofline, and grading with the natural topography. Buildings on the adjacent City parcel consist of two smaller duplex type units along Atkinson Lane which provides a consistent streetscape, then transitions to larger buildings towards the interior of the site.

Finally, the development does not and will not include utility connections, road access, or utility and road stub-outs that are not a part of the County Entitlements and that would give credence to any argument that development of the original City Specific Plan Area was envisioned by and should be considered as part of the project authorized by the County Entitlements.

Architectural and Building Design Standards

Although the proposed architectural design of the building is consistent throughout the structure on all elevations, the development includes one, two, and three story elements, balconies, roof gables, and varied materials to create visual interest and provide articulation in the façade. Colors will be natural and muted but are also varied to enhance important building elements such as balconies, windows, and rooflines.

Landscaping

The landscaping plan for the entire development includes several desirable elements including community garden plots, a grove of fruit trees, large turf and grass areas for community recreation, pedestrian paths, and a playground. Larger trees and vines have been incorporated into perimeter landscaping to buffer views from adjacent residences and to buffer the view of the PG&E substation. Additionally, the parking and driveway areas have been generously landscaped with trees and shrubs of varying sizes to provide shade, reduce glare, and provide visual interest.

2014 Memorandum of Understanding

On June 12, 2007, the Board of Supervisors authorized the County Administrator to sign a Memorandum of Agreement (MOU) between the City of Watsonville and the County of Santa Cruz which established an agreement of coordination in the development of County APN 048-211-25 and City APN 019-226-42. Because the City no longer plans to annex the portion of the planning area located within the County jurisdiction, a second Memorandum of Understanding has been drafted in coordination with the City, to identify and clarify the roles of the City and County with respect to the building permit processing procedures, the distribution of development impact fees, and the services provided to the site (Exhibit F).

Environmental Review

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The Environmental Impact Report (EIR) that was certified on June 9, 2009 with the adoption of the PUD was based on an analysis of the original Planning Area, which included both the County Entitlements Area and the City Specific Plan Area. Per the Settlement Agreement, the City Specific Plan Area has been removed from the Planning Area. Additionally, updated site information has been submitted with the proposed project. Therefore, an Addendum to the EIR has been prepared to address the revised project description and to incorporate updated information regarding the modified project (Exhibit B).

California Environmental Quality Act (CEQA) Guideline §15164 states that the lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in §15164 calling for the preparation of a subsequent EIR have occurred. Specific discussion regarding the applicability of an Addendum to the certified EIR is included in Section 1.5 of the Addendum (Exhibit B).

This Addendum will be used along with the EIR to provide the CEQA compliance documentation for the Modification of the Approvals pursuant to the Settlement Agreement for the projects located within the County Entitlements Area.

Conclusion

A Planned Unit Development was approved by the County Board of Supervisors on June 9, 2009 as Ordinance #5048. The approved PUD allows for the density (20 units per acre) and use of the subject parcel (residential high-density) by-right and only requires design review of the development from the Board of Supervisors to ensure compliance with the conditions of approval of the PUD, as modified to incorporate the terms of the Settlement Agreement, and updated project information and mitigation measures of the EIR Addendum.

As proposed and conditioned, the project is consistent with the conditions of approval of Planned Unit Development (PUD) ordinance #5048.

Staff Recommendation

 Adopt the attached Resolution (Exhibit A), providing a recommendation to the Board of Supervisors to CONSIDER the 2009 EIR and 2014 EIR Addendum, APPROVE Application No. 131265, ADOPT the Amendment to Ordinance #5048, and ADOPT the amended Mitigation Monitoring and Reporting Program, based upon findings and with conditions of approval.

Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

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Report Prepared By:

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Report Reviewed By:

Kathy M. Previsich Planning Director

Santa Cruz County Planning Department

BEFORE THE PLANNING COMMISSION OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

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On the motion of Commissioner duly seconded by Commissioner the following Resolution is adopted:

PLANNING COMMISSION RESOLUTION SENDING RECOMMENDATION TO THE BOARD OF SUPERVISORS

WHEREAS, in October 2006, the County Board of Supervisors approved a new Housing Element for the County which included a key policy that required the rezoning of a minimum of 30 acres for higher density housing; and

WHEREAS, in November 2006, the Atkinson Planning Area consisting of County Assessor's Parcel Numbers (APNs) 048-211-25 and 048-221-09 was selected by the County Board of Supervisors as a candidate site for the rezoning program; and

WHEREAS, in 2002, the residents of the City of Watsonville approved voter initiative Meausre U, the "Watsonville Urban Limit Line and Development Timing Initiative" which defined a new Urban Limit Line (ULL) area and allowed for the planning and development of future growth areas, including the Atkinson Planning Area; and

WHEREAS, on June 12, 2007, the City and County entered into an Memorandum of Understanding to jointly oversee the planning and environmental review process for a group of properties primarily located in the unincorporated area of the County, but also in the Future Growth Area B under the City's Measure U; and

WHEREAS, as a result of that effort, a Planned Unit Development (PUD) was prepared to plan for future development to occur by-right on County APN's 048-211-25 and 048-211-09, and a City Specific Plan was developed to plan for future development on City APN's 019-226-42, 019-226-43, 019-226-44, 019-236-01 and County APN's 048-231-01, 048-231-17, 048-231-18, and 048-251-09; and

WHEREAS, in accordance with Section 15063 of the CEQA Guidelines, the County of Santa Cruz determined that an Environmental Impact Report (EIR) would be necessary for the proposed project; and

WHEREAS, in accordance with Section 15082(a) of the CEQA Guidelines, a Notice of Preparation (NOP) was circulated for a 30-day public review and comment period commencing on August 1, 2008 and concerns raised in response to the NOP were considered during preparation of the Draft EIR; and

WHEREAS, a Draft EIR was completed and the County filed a Notice of Completion (NOC) with the State Office of Planning and Research in accordance with Section 15085 of the CEOA

Guidelines to begin a 45-day review and comment period commencing on August 9, 2009; and

WHEREAS, concurrent with the NOC, the County provided a public notice of the availability 750 of the Draft EIR for public review in accordance with Section 15087(a) of the CEQA Guidelines and invited comments from the general public, Responsible Agencies, organizations, and other interested parties; and

WHEREAS, in accordance with Section 15088 of the CEQA Guidelines, the County evaluated comments on environmental issues received during the noticed comment period from persons who reviewed the Draft EIR and prepared written responses; and

WHEREAS, the Final Environmental Impact Report (EIR) consisting of the Draft EIR and responses to comments and errata was prepared pursuant to the California Environmental Quality Act (CEQA: Public Resources Code §21000 et seq.) to analyze the environmental impacts of the project consisting of the development of 450 units under the PUD and City Specific Plan; and

WHEREAS, on June 9, 2009 the Final EIR was certified by the County, in conjunction with County approval of a General Plan Amendment, Rezoning, Planned Unit Development, and Riparian Exception for County parcels 048-211-25 and 048-211-09 (Ordinance #5047 and #5048). While a draft Specific Plan had been prepared for the City's consideration, it was not acted upon by the City; and

WHEREAS, on July 8, 2009, the Farm Bureau filed a petition for a Writ of Mandate against the County, City and others with regard to certification of the EIR. As a result of this litigation, a Settlement Agreement was reached in 2011 between the Farm Bureau, the County, and the City; and both the City and County agreed that the EIR would not be used in connection with any action or proposal to develop or annex any, all or portions of the Specific Plan Area not included within the County Entitlements, and the City agreed that nothing in the County Approvals includes approval of the Specific Plan, or the EIR covering the Specific Plan area; and

WHEREAS, the Settlement Agreement does allow the City to rely upon the EIR and to approve development involving two parcels currently located within the City, as they are intended to be incorporated into project(s) authorized by the County Entitlements (Ordinance #5047 and #5048); and

WHEREAS, the Settlement Agreement defines the County Entitlements Area to include the following APNs:

COUNTY ENTITLEMENTS AREA

(within existing City of Watsonville Sphere of Influence)

019-226-42	52 Atkinson Lane	MidPen Housing parcel within City of Watsonville
019-236-01	78 Atkinson Lane	Lamb parcel within City
048-211-25	56 Atkinson Lane	MidPen Housing parcel within County
048-221-09	no site address	Lamb parcel within County

; and

WHEREAS, the Settlement Agreement requires "Modification to the Approvals" to consist of modifications to the approved PUD and the certified EIR; and

EXHIBIT A

WHEREAS, the County, acting as the Lead Agency, concluded that the proposed project would not result in any new impacts not previously disclosed in the Final EIR for the Atkinson Lane Specific Plan and PUD Project and would not result in a substantial increase in the magnitude of any significant environmental impacts preciously identified in the EIR. In addition, the County concluded that there are no new or newly feasible mitigation measures or alternatives that would substantially reduce significant effects of the project but which the project proponents decline to adopt. For these reasons, an Addendum to the Final Environment Impact Report for the Atkinson Lane Specific Plan and PUD project has been prepared for the proposed project in accordance with CEQA Guideline Sections 15164 and 15162, to include modifications to the project area and to the original project phasing described by the EIR to limit the planning area to the "County Entitlements Area" as per the terms of the Settlement Agreement; and

WHEREAS, MidPen Housing (MidPen) has, with the benefit of a loan from the County's Redevelopment Agency, acquired APN 048-211-25 within the County's jurisdiction, and has purchased with its own funds APN 019-226-42 within the City's jurisdiction. Together, these two adjoining properties create a stand-alone developable project site within the County Entitlements Area that is allowed under the Settlement Agreement to be considered for approval. An application for Design Review of the MidPen housing project was received by the County on September 26, 2013; and

WHEREAS, MidPen has designed a cohesive 46-unit project consisting of 26 units on APN 048-211-25 located in the County and 20 units on APN 019-226-42 located in the City, and has submitted applications for Design Review from the County and for a discretionary Planned Development (PD) entitlement from the City as concurrent actions; and

WHEREAS, because the 46-unit MidPen affordable housing project straddles the City and County boundary, a Memorandum of Understanding was prepared to address how building plan checks and inspections will occur and to designate the distribution of development impact fees and municipal services mitigation payments, and to designate the jurisdiction responsible for services to the 46-unit MidPen development project; and

WHEREAS, the Planning Commission held a public hearing on Application No. 131265 on April 23, 2014 involving property located on the south side of Atkinson Lane, about 1,000 feet east of the intersection with Freedom Boulevard in Watsonville, and the Planning Commission has considered the proposed development, all testimony and evidence received at the public hearing, and the attached staff report; and

WHEREAS, the Planning Commission finds, on the basis of the whole record before it, that there is no substantial evidence that the project will have a significant effect on the environment, and that the Certified EIR and 2014 Addendum to the EIR reflect the independent judgment and analysis of the County of Santa Cruz; and

WHEREAS, the material which constitutes the record of proceedings upon which the Planning Commission's decision is based shall be located in the offices of the Planning Department located at 701 Ocean Street, Santa Cruz, California.

NOW, THEREFORE, BE IT RESOLVED, the Planning Commission of the County of Santa Cruz does hereby recommend to the Board of Supervisors the following:





1. Consideration of the 2009 EIR and 2014 EIR Addendum, and find that on the basis of the whole record before it, that there is no substantial evidence that the project will have a significant effect on the environment, and that the Certified EIR and 2014 Addendum to the EIR reflect the independent judgment and analysis of the County of Santa Cruz.

2. Adoption of the Amendment to Ordinance #5048.

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- 3. Approval of Application No. 131265, based on the Findings of compliance with the Planned Unit Development #5048 and the project Conditions of Approval, attached hereto as Exhibits A and B.
- 4. Adoption of the Amended Mitigation Monitoring and Reporting Program.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this 23rd day of April, 2014, by the following vote:

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COMMISSIONERS

NOES:

COMMISSIONERS

ABSENT:

COMMISSIONERS

ABSTAIN: COMMISSIONERS

Renee Shepherd,	Chairperson

ATTEST:

Ken Hart, Secretary

BOLDEN COLDER

COURTY COURSEL

Owner: Mid-Penninsula The Farm Inc.

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EXHIBIT A: Findings for Compliance with PUD #5048

1. All applicable requirements of the approved Planned Unit Development (PUD) Ordinance #5048 have been met.

This finding can be made in that the project is consistent with all applicable requirements of the approved Planned Unit Development and all applicable General Site Standards (Section I) have been met related to circulation and parking, requirements for structures, site standards, wetland area buffers, storm water management, open space, site planning, architectural and building design standards, materials and colors, landscaping standards, and lighting. The project is not phased and proposes to share some of the requirements with the adjacent development on the City of Watsonville APN 019-226-42 which is appropriate in that the two project proposals are being processed concurrently and the projects will result in one unified housing development. Conditions of approval have been included to require design details required by the PUD at the building permit stage of the permitting process. Conditions of approval are included to require that building permit plans show any additional required compliance with the PUD requirements including site lighting restrictions and the establishment of a re-aligned vehicular access easement granted to APN 048-211-24 (PG&E parcel).

2. All applicable requirements of the Site, Architectural and Landscape Design Review (Chapter 13.11) unless modified by the PUD, have been met (SCCC Section 13.11.052).

This finding can be made in that the project is consistent with all applicable requirements of Chapter 13.11 of the Santa Cruz County Code that were not modified by the PUD. Specifically: natural site amenities have been preserved and incorporated into the site design; the development is being coordinated with the residential project on the north adjacent City parcel, with smaller structures at the parcel frontage and the larger, three story structure at the interior to provide a transition between the existing single family neighborhood and the new housing development; conditions of approval will ensure full compliance with the regulations for recycling collection facilities; no signage will be placed on the subject parcel; noise has been addressed with the incorporation of buffering landscaping along the property lines adjacent to residential uses and with the locations of the community open space areas opposite existing residential areas and shielded by the housing structure; pedestrian pathways have been provided from street and parking areas to the central use areas of the development; a bus stop is located about 1,000 feet southwest of the parcel at the corner of Freedom Blvd. and Clifford; and the proposed parking area is screened from adjacent residential properties and from the public street view with landscaping and buildings. Other requirements included in Chapter 13.11 are not applicable or are included as requirements of the PUD.

3. All requirements and standards of the Zoning Regulations (Title 13, Chapter 13.10) and Environmental and Resource Protection Regulations (Title 16), unless modified by the PUD, have been met.

This finding can be made in that the regulations required by Title 13 and Title 16 have been incorporated into the mitigation measures of the certified EIR and Addendum and the conditions of approval of the PUD, including but not limited to site development standards, wetland and riparian corridor protection, archaeological and geotechnical review, protection of commercial

Owner: Mid-Penninsula The Farm Inc.

agricultural lands, and traffic and stormwater impacts. The City of Watsonville Water Department operates in compliance with the state model for water efficient landscaping; therefore, the County requirements are not applicable. Additionally, a geotechnical report review was reviewed and accepted by County Environmental Planning Staff and conditions of approval require development to comply with all recommendations of the accepted report. Preliminary grading review of the plans has been approved for feasibility and will be further reviewed under a grading permit application.

EXHIBIT B: Conditions of Approval

Exhibit C: Project Plans, 46 sheets, prepared by Dahlin Group, dated 4/14/14.

This permit authorizes the design of a 26-unit, affordable, for-rent, residential development within a 3 story, 39,754 square foot building. This approval applies only to the proposed development to be constructed simultaneously with City APN 019-226-42. The approved development is not intended to be a stand-alone project. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:

- A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
- B. Obtain Building Permits from the Santa Cruz County Building Official.
 - 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
- C. Obtain a Demolition Permit from the Santa Cruz County Building Official.
 - 1. Each structure shall be inspected by a qualified environmental specialist for the presence of asbestos containing materials (ACMs) and lead based paints (LBPs). If ACMs and LBPs are found during the investigations, a remediation program shall be developed to ensure that these materials are removed and disposed of by a licensed contractor in accordance with all federal, state and local laws and regulations. Any stained soils or surfaces underneath the removed materials shall be sampled. Subsequent testing shall indicate the appropriate level of remediation necessary and a work plan shall be prepared in order to remediate the soil in accordance with all applicable federal, state, and local regulations prior to issuance of a grading permit (MM 3.7-3a and MM 3.7-3b)
- D. Obtain a Grading Permit from the Santa Cruz County Building Official.
 - 1. Prior to issuance of a grading permit, the project applicants shall retain a qualified hazardous materials professional to conduct a Phase II Soil Investigation in order to adequately test the surface soil and subsurface soil for pesticide residues in accordance with the Department of Toxic Substances and Control (DTSC) and CalEPA Guidance Manual Interim Guidance for Sampling Agricultural Fields for School Sites, Second



Revision (DTSC and CalEPA 2004) to provide a uniform approach for evaluating former agricultural properties where pesticides have been applied. The soil sampling and testing program shall be subject to review and approval by the City of Watsonville and County of Santa Cruz. Soil sampling and testing shall include, but not be limited to the following in accordance with the DTSC and CalEPA guidance documents: sampling the freshwater marsh in the western portion of the planning area adjacent to the former agricultural areas of the planning area; sampling each area of a parcel which historically produced different agricultural crops; sampling of one surface soil sample from zero to six inches and one sub-surface sample from two to three feet with the minimum number of samples based on the size of the parcel; and analytical testing for these samples for pesticide residues including, but not limited to, DDT and its derivatives

In the event that subsequent testing indicates the presence of pesticide residues beyond acceptable thresholds, the potential health risks shall be evaluated and a work plan prepared in order to remediate the soil in accordance with all applicable federal, state, and local regulations. All subsequent testing and remediation activities are subject to review and approval by the County of Santa Cruz Environmental Health Department and the City of Watsonville prior to issuance of a grading permit. (MM 3.7-9)

- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "C" on file with the Planning Department. Any changes from the approved Exhibit "C" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:

DDD and DDE, toxaphene, dieldrin, and aldrin.

- 1. One elevation shall indicate materials and colors as they were approved by this Design Review.
- 2. Plans shall show the final location of a recorded access easement granted to APN's 048-211-24 (PG&E parcel) and 019-226-42 (MidPen housing, city parcel).
- 3. Plans shall show compliance with all the lighting requirements in the approved PUD and in Chapter 13.11 of the County Code.



EXHIBITA

4. Plans shall show the installation of permanent signage to be placed at the perimeter of the wetland buffer area that clearly states that people and their pets should not enter the wetland area or associated buffer due to the presence of sensitive habitat. (MM 3.4-3j)

- 5. All utilities shall be constructed underground.
- 6. Plans shall show that all existing mature trees are retained to the extent possible. Removed trees shall be replaced with in-kind species and vegetation structure within the planning area. Tree replacement shall be indicated on landscape plans subject to review and approval by the County of Santa Cruz Planning Department. (MM 3.4-4a)
- 7. Plans shall include details showing compliance with the Section 13.11.072(E) of the Santa Cruz County Code with regards to Recycling Collection Facilities.
- 8. Plans shall reference the accepted geotechnical report and include a statement that the project shall conform to the report's recommendations.
- 9. Plans shall show the specific locations of all septic tanks located on APN 048-211-25 and shall indicate that the septic tanks will be removed and properly disposed of at an approved landfill facility. (MM 3.7-6)
- 10. Grading, drainage, and erosion control plans.
 - a. A final drainage plan shall be submitted with an analysis demonstrating maintenance of the predevelopment 2-year, 2-hour release rate and storage as well as the 5-year predevelopment release rate while providing storage volume for the post development 25-year storm consistent with the County of Santa Cruz performance standards or equivalent methods, and retaining the existing functions of storage, filtration, infiltration and evaporation of stormwater. The final drainage control plans shall include: detailed hydrologic modeling, existing facilities, soil and topographic data; erosion control and best management practices; descriptions of proposed flood control facilities; Low Impact Development (LID) techniques; compliance with waste discharge requirements; phasing and implementation; identification of the entity that is responsible for facility design and construction; Clean Water Program compliance; and facility maintenance to ensure long-term vegetation maintenance and access. All drainage improvements shall be subject to review and approval by the County of Santa Cruz Public Works Director and the City of Watsonville Public Works Director. County Public Works staff shall confirm that the onsite stormwater detention facilities have



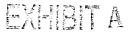
been constructed in accordance with approved plans.

- b. In order to comply with the National Pollution Discharge Elimination System (NPDES), requirements for construction of site storm water discharges, project applicants shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) if construction exceeds one acre or more within the planning area. The SWPPP shall specify how the discharger will protect water quality during construction activities subject to review and approval by the County of Santa Cruz Planning Department or the City of Watsonville Community Development Department. These measures shall include but are not limited to the following:
 - design and construction of cut and fill slopes in a manner that will minimize erosion;
 - protection of exposed slope areas;
 - control of surface water flows over exposed soils;
 - use of wetting or sealing agents or sedimentation ponds;
 - limiting soil excavation in high winds;
 - construction of berms and runoff diversion ditches; and
 - use of sediment traps, such as weed-free straw bales and/or straw waddles.

In addition, project applicants shall implement the following measures during construction activities within the planning area:

- Stabilize and revegetate all areas of disturbed soil with appropriate native species. Monitor revegetation success and take remedial measures as necessary;
- When hay or straw is used in erosion control, ensure that it is weed free;
- If possible, conduct work during low- or no-flow periods. Consult weather forecasts from the National Weather Service at least 72 hours prior to performing work that may result in sediment runoff; and
- Inspect and clean all equipment of soil containing noxious or invasive weeds or fungus before arriving on site. If any imported fill material is necessary to bring to the site, present evidence certifying the material is void of any noxious or invasive species or pollutants. (MM3.8-2)
- c. Please note: The property owner is responsible for obtaining any and all necessary temporary and/or long term easements/access agreements, etc., to complete drainage improvements off-site and to address impacts to the drainage course between the site and the City maintained storm drain system in Brewington Avenue.
- 11. The building plans must include a roof plan and a surveyed contour map





of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site which clearly depict the total height of the proposed structure. Maximum height is 37 feet.

- 12. Details showing compliance with all requirements of Cal Fire/Pajaro Valley Fire District.
- 13. Meet all accessibility requirements of the most current California Building Code.
- 14. Plans shall show that all fireplaces proposed for future residential development within the planning area shall be gas-fired and meet U.S. Environmental Protection Agency (EPA) certification requirements. The use of wood-burning fireplaces or wood burning stoves shall be prohibited in perpetuity on all residential properties included within the modified project and shall be recorded on the title of all parcels and run with the land. (MM 3.3-3)
- 15. The applicant shall consider implementation of MBUAPCD-recommended mitigation. Plans shall identify and incorporate emission reduction measures and staff may recommend additional measures as practical and feasible including the following:
 - Incorporate energy-efficient appliances into residential uses.
 - Orient buildings to minimize heating and cooling needs;
 - Provide shade trees to reduce cooling needs;
 - Include energy-efficient lighting systems;
 - Include solar water heaters or centralized water heating systems; and
 - Increase insulation beyond Title 24 requirements to minimize heating and cooling needs. (MM 3.3-3)
- B. The existing access easement to APN 048-211-24 (PG&E parcel) shall be modified and recorded to allow for continued access over the subject parcel.
- C. All units shall be connected for water service to the City of Watsonville Water Department. All requirements of that water department including the payment of connection charges shall be met prior to the issuance of any building permit. Engineered improvement plans for all water line extensions required by City of Watsonville Water Department shall be submitted for the review and approval of the water agency.



1. Proof of LAFCO approval of the Extraterritorial Water Service by the Watsonville Water Department will be required prior to issuance of the Building Permit.

- D. A water management plan is required to allow for the installation of a master water meter with separate sub meters for each unit. The water management plan shall be submitted to the City of Watsonville Water Department for review and approval. The plan shall including the following details:
 - 1. A plan for monitoring tenants' domestic water consumption in terms of targeted per-capita consumption rates; and
 - 2. A plan for informing and educating tenants regarding the targeted per capita water consumption rates and ways to reduce consumption to meet the rates.

The property owner shall report the performance of the project, with regards to meeting the per capita water consumption rates, to the City of Watsonville Water Department every three months.

- E. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
- F. Meet all requirements of the County Department of Public Works, Stormwater Management.
- G. Meet all requirements and pay any applicable plan check fee of the Cal Fire/Pajaro Valley Fire Protection District.
- H. Submit 2 copies of the complete soils report and addendums prepared and stamped by a licensed Geotechnical Engineer.
- I. Submit an owner-agent approval form with the building permit application to allow construction to take place on the adjacent parcel owned by Pacific Gas and Electric Company. The form shall be signed by an authorized representative of PG&E.
- J. Pay all impact fees and the municipal services mitigation payment as required by the 2014 Memorandum of Understanding between the City of Watsonville and the County of Santa Cruz.
- K. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.

- L. Submit a copy of a State approved stormwater pollution control plan prepared in compliance with State Water Resources Control Board Construction General Permit regulations and the corresponding WDID number.
- M. Consistent with Policy 5.13.31 (Agricultural Notification Recordation for Land Divisions) in the Santa Cruz County General Plan, project applicants within the planning area shall file a Right-to-Farm Notification Statement to run with the Title as disclosure and notice in deeds at the time of transfer or sale of the property. The statement shall inform any future property owners of the continuation of agricultural activities, including agricultural processing, in the area and shall disclose the potential effects of agricultural activities on adjacent land uses to future residents. (MM 3.2-2c.)
- N. The owner shall record a Declaration of Restriction that prohibits the use of wood-burning fireplaces or wood burning stoves in perpetuity on the residential property and shall submit proof of recordation to the Planning Department. (MM 3.3-3)
- O. File an overflight easement with the City of Watsonville to run with the title of the property as disclosure and notice in deeds at the time of transfer or sale of the property. The disclosure shall inform future property owners that their property is located in an airport approach zone and that the City of Watsonville has the right to regulate or prohibit light emissions, either direct or indirect which may interfere with pilot vision; regulate or prohibit release into the air any substances that would impair the visibility or otherwise interfere with the operation of aircraft including steam, dust, and smoke; and regulate or prohibit electrical emissions which would interfere with aircraft communication systems or navigational equipment. The easement shall run with the land until such time the Watsonville Municipal Airport is no longer in use.(MM 3.7-10)
- P. A Habitat Enhancement Plan for the western pond turtle shall be prepared by a qualified wetland ecologist, hydrologist and landscape architect and shall be submitted to the Planning Department for review and approval. The plan shall include the following improvements to the wetland: (MM 3.4-3a & 3.4-3k)
 - 1. Removal of non-native vegetation;
 - 2. Development of a wetland and upland planting plan to benefit wetland functions and values;
 - 3. Revegetation of the wetland buffer with native riparian and upland species;
 - 4. Development of a monitoring program to be conducted for a period of three years or until success criteria have been met, vegetation is established, and exotic species are controlled; and
 - 5. Development of success criteria for habitat enhancement.
- Q. Submit proof to the County that a Municipal Services Mitigation Payment has



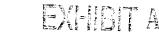
been paid to the City of Watsonville pursuant to an agreement between the City and MidPen. (MM 3.12-1)

- R. Submit evidence that all construction personnel have attended a "Species Sensitivity Training" program that shall provide instruction on western pond turtle identification, status and detailed protocol of the actions that should be taken in the event that a western pond turtle is encountered onsite during construction activities. This program shall be designed to educate construction personnel about the mitigation measures required for the execution of the project. All construction personnel shall attend the sensitivity training, (MM 3.4-3f)
- S. After building permit plans are prepared that are acceptable to all reviewing agencies, a signed and stamped Soils (Geotechnical) Engineer Plan Review Form shall be submitted to Environmental Planning. Please note that the plan review form must reference the final plan set by last revision date. Any updates to the report recommendations necessary to address conflicts between the report and the plans must be provided via a separate addendum to the soils report. The author of the report shall sign and stamp the completed form. An electronic copy of the form may be found on our website at www.sccoplanning.com.
- The project applicants shall hire a qualified hazardous materials consultant with Phase I and/or Phase II experience to review files for the off-site property located at 1488 Freedom Boulevard prior to construction activities during all phases of the modified project. Should files indicate that the property located at 1488 Freedom Boulevard may have impacted the planning area, Phase II testing shall occur to confirm or deny the presence of contaminated groundwater prior to construction activities. If unanticipated contaminated groundwater is found during construction activities, the project applicants shall ensure that proper safety/handling procedures are followed involving contaminated groundwater within the planning area during phase 1a and 1b/Remainder of the modified project subject to review and approval by the City of Watsonville and County of Santa Cruz. (MM3.7-8a)
- U. Submit a copy of the construction contract(s) which include the following noise control measures:
 - 1. Limit construction that involves motorized equipment to Monday through Friday from 7:30 am to 4:30 pm to avoid the times of day and the days of the week when noise effects would cause the greatest annoyance to residents and to those using the area for recreation;
 - 2. Allow exceptions to the specified construction hours only for construction emergencies and when approved by the County of Santa Cruz Planning Department. (MM 3.10-1a)
- V. The applicant shall coordinate with the City of Watsonville to determine if the applicant shall design, fund and implement the southbound left-turn pocket from



Freedom Boulevard to Crestview Drive to lengthen the pocket by at least 25 feet or if this requirement shall be satisfied through a payment of that amount directly to the City of Watsonville. The existing storage length is 150 feet and the SimTraffic analysis indicated a 95% queue of 175 feet. The estimated cost of this improvement is \$16,300 and shall be funded by the first applicant for development on APN 048-221-09 (Lamb). (MM3.13-11a)

- W. In order to mitigate traffic impacts of the project, the applicant shall pay all required Traffic Impact fees to the City of Watsonville for 20 units and Transportation and Roadside Improvement Fees to the County of Santa Cruz for 26 units.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to and during construction activities, the following conditions shall be met:
 - A. Prior to any site disturbance, all development impact fees shall be paid pursuant to a Memorandum of Understanding between the County of Santa Cruz and the City of Watsonville.
 - B. Prior to any site disturbance, a sign shall be posted on site that is clearly visible to adjacent land uses and that provides the phone number for the public to call to register complaints about construction-related noise problems. A single disturbance coordinator shall be assigned to log in and respond to all calls. All verified problems shall be resolved within 24 hours of registering the complaints. (MM 3.10-1a)
 - C. The planning area provides potential wintering habitat for the ferruginous hawk (a 'Bird of Conservation Concern'), nesting and wintering habitat for the white tailed kite (a 'Fully Protected Species'), and nesting habitat for the yellow warbler (a CDFW 'Species of Special Concern'), as well as other common raptor and bird species; therefore, construction activities and the clearing of vegetation shall occur outside of the breeding season (February through August).
 - 1. If the project applicant cannot avoid construction activities during the breeding season a qualified wildlife biologist shall conduct avian nest surveys prior to construction activities that may disturb nests (e.g. vegetation clearing, tree removal, grading, large equipment operation, or demolition) within the Atkinson planning area. These surveys shall include special-status birds, and all birds (and their nests) protected under the MBTA, and shall encompass the planning area and a 200-foot-wide buffer, to examine nearby tree stands and structures. If an active nest is found, it will be necessary to consult with the appropriate resource agencies (CDFW, USFWS) to determine appropriate construction buffers or other avoidance measures. If nesting or wintering special-status birds are not found, no further action would be necessary. (MM3.4-4b)



- 2. If the project applicant cannot avoid construction activities during the breeding season (February through August) and cannot clear vegetation prior to the breeding season, a qualified biologist shall conduct a specific yellow warbler nest survey in the riparian and scrub habitats of the Atkinson planning area during phases 1a and 1b/Remainder of the modified project during this period. If active nests are found within the planning area, a minimum 250-foot construction buffer shall be established during the peak of the warblers breeding season (April through July), or until the young have fledged. A qualified biologist shall monitor the activity of any warbler nests to determine when construction activities may re-commence within the established buffer area. (MM3.4-4c)
- D. Prior to initiation of project activities including, but not limited to, vegetation, snag, and tree removal and demolition of structures on Assessor Parcel Numbers:, 019-226-042, 048-211-25, 048-221-09, or loud construction-related noise within the work area, the County of Santa Cruz Planning Department and the City of Watsonville Community Development Department shall require that project applicants within the planning area implement the following measures:
 - 1. Conduct a pre-construction survey for bats over a minimum of four visits at least 15 days prior to the beginning of tree/vegetation removal, building demolition and other project activities, to determine if the area is being actively utilized by bats for spring/summer maternity colonies (April to September). Surveys shall also include determining if any trees or buildings marked for removal have characteristics that make them suitable bat roosting habitat (e.g., hollows, broken limbs, crevices, etc.). For any trees/snags that could provide roosting space for bats, thoroughly evaluate the trees/snags to determine if a colony is present prior to trimming or cutting. Visual inspection, trapping, and acoustic surveys may be utilized as initial techniques. Special permits from CDFW are required if trapping is conducted. Removal of any native riparian tree shall be preceded by a thorough visual inspection of foliage to reduce the risk of displacing or harming foliage roosting bats. If no roosting bats are observed, no further mitigation would be required.
 - 2. If a tree or structure is determined not to be an active roost site, it may be immediately trimmed or removed. If the tree or structure is not trimmed or removed within four days of the survey, repeat night survey efforts.
 - 3. Removal of occupied trees/snags or structures shall be mitigated for by the creation of a snag or other artificial roost structure within suitable habitat located in the planning area. With the input from a professional bat specialist and coordination with CDFW, design alternative roost structure(s) that provide suitable habitat for evicted or displaced bats. Depending on the species, artificial roost structures may not be appropriate. Coordinate with CDFW for acceptable mitigation alternatives.

Owner: Mid-Penninsula The Farm Inc.

4. Protect maternity colonies

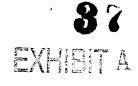
- 4. Protect maternity colonies that have pre-volant young (not yet able to fly). If active bat roosts are observed during the maternity roosting season, avoid disturbing the roost until after all juvenile bats are able to fly from the roost. The project biologist must confirm there are no pre-volant young present before a colony is displaced. It is assumed that after September 1 colonies have no pre-volant young.
- 5. Coordinate with CDFW and a biologist that is permitted to handle special-status bats to develop appropriate exclusion methods if necessary. Project activities involving potential disturbances to roosting bats shall correspond with the time frame stated in the California Fish and Game Commission regulations. The CFGC stipulates bats may be excluded from occupied roosts in two time periods; between September 1 and October 15 and between February 15 and April 15 (CFGC 2006). If bats are found roosting within these time frames, it may be necessary to passively exclude them from trees or structures scheduled for removal. If necessary, prior to initiating project activities, passive exclusion methods shall be installed for a minimum of two weeks and monitored by a qualified biologist within the appropriate time frames above. At a minimum, monitoring efforts shall include conducting acoustic and evening emergence surveys. (MM 3.4-5)
- E. A minimum of 48 hours prior to initiation of project activities, project applicants shall have a USFWS-approved biologist conduct California red-legged frog (CRLF) preconstruction surveys. Pre-construction surveys shall consist of two days and two nights, spaced a week apart, with notification to the USFWS. (MM 3.4-2b)
- F. Before and during clearing of vegetation, or initial ground disturbing activities, a qualified biologist shall conduct a preconstruction survey for the WPT (MM 3.4-3i)
- G. If western pond turtles (WPT) are observed on the project site prior to or during construction activities, the turtles shall be captured, held, and cared for in coordination with the CDFW and shall be included in the Habitat Enhancement Plan (condition of approval II.O). All captured pond turtles shall be tagged and fully documented at the time of capture (e.g., number, sex, age, carapace length, weight, overall condition, etc.). All non-native turtles that are captured shall also be documented and not returned to the wild. (MM 3.4-3e)
- H. During preconstruction surveys (condition of approval III.A), all captured western pond turtles shall be permanently relocated under the direction of the qualified herpetologist in consultation with CDFW. (MM 3.4-3a)
- I. Prior to construction, western pond turtle exclusionary fencing shall be established around the perimeter of the 50-foot wetland buffer area around the freshwater marsh and seasonal wetland to prevent any potentially uncaptured

western pond turtles from entering construction areas. The fencing shall be marked by highly visible signage indicating that human activity is prohibited within these areas. A qualified biologist shall be present during placement of the exclusionary fencing to ensure that no pond turtles are impacted. The establishment of pond turtle exclusion fencing shall only occur between the months of September and March outside of the breeding season. (MM3.4-3d and 3.4-3g)

- J. To avoid harming WPT that may have evaded trapping, project applicants shall implement the following measures during construction:
 - 1. Where trenching occurs, provide an escape ramp at each end of the open trench to avoid entrapment. The ramp may be constructed of dirt fill, wood planking, or other suitable material that is placed at an angle of 30 degrees or less. Backfill open segments of trench as soon as possible to avoid entrapment.
 - 2. At the beginning of each day, check under all parked equipment for WPT before use. If any WTP are observed under equipment or within the work area, do not disturb or handle it. Cease project activities and contact the CDFW and the City or County for further guidance.
 - 3. During project activities, all trash that may attract predators shall be properly contained, removed from the work site and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.
 - 4. All fueling and maintenance of vehicles and other equipment and staging areas shall not occur within or near wetland and/or riparian habitats or water bodies. A plan to allow a prompt and effective response to accidental spills shall be developed. All workers shall be informed of the importance of preventing spills and of the appropriate measures to be taken should a spill occur. The agencies should be contacted regarding spills if the approved biologist anticipates that impacts to WPT may occur as a result of the spill.
 - 5. Smoke in areas clear of vegetation and away from hazardous materials. Dispose of cigarette butts in an appropriate area away from the planning area. (MM3.4-3h)
- K. Project applicants shall ensure that all construction and staging activities occur outside of APN 048-211-24 (PG&E parcel) containing Santa Cruz tarplant during all phases of the modified project. Prior to construction activities, project applicants shall install temporary construction fencing and informative signs around the perimeter of APN 048-211-24 as construction occurs in the vicinity of this parcel. The location and integrity of the fence shall be verified in the field by County or City staff prior to grading and periodically checked throughout the construction period. Following construction, project applicants within the County Entitlements Area shall install permanent fencing around the perimeter of APN 048-211-24. (MM3.4-1)



- L. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.
 - 1. If human remains of Native American origin are discovered during ground-disturbing activities, project applicant(s) shall comply with state laws relating to the dispositions of Native American burials, which falls within the jurisdiction of the California Native American Heritage Commission (NAHC) (Public Resources Code, Section 5097.98). If human remains are discovered or recognized in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the planning area or any nearby area reasonably suspected to overlie adjacent human remains until:
 - a. The Santa Cruz County Sheriff-Coroner has been informed and has determined that no investigation of the cease of death is required, and
 - b. If the remains are of Native American origin,
 - i. the descendants from the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave good as provided in the Public Resources Code, Section 5097.98, or
 - ii. The California NAHC was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the NAHC. (MM 3.5-1c)
- M. Areas of active disturbance shall be limited to no more than 2.2 acres per day for initial site preparation activities that involve extensive earth moving activities (grubbing, excavation, rough grading), or 8.1 acres per day for activities that involve minimal earth moving (e.g. finish grading) during all phases of construction activities within the Atkinson planning area in accordance with the Monterey Bay Unified Air Pollution Control District CEQA Guidelines. If the modified project requires that grading and excavation exceed those acreages, project applicants shall implement the following fugitive dust measures during grading and excavation and incorporate these measures on all grading plans for future development within the planning area subject to review and approval by the County of Santa Cruz Planning Department or the City of Watsonville Community Development Department: (MM 3.3-1)
 - Water all active construction areas at least twice daily;



- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard;
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;
- Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites;
- Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets;
- Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more);
- Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.);
- Limit traffic speeds on unpaved roads to 15 mph;
- Install appropriate best management practices or other erosion control measures to prevent silt runoff to public roadways;
- Replant vegetation in disturbed areas as quickly as possible;
- Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site;
- Limit the area subject to excavation, grading and other construction activity at any one time;
- Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints (the person shall respond to complaints and take corrective action within 48 hours); and
- Ensure that the phone number of MBUAPCD is visible to the public for compliance with Rule 402 (Nuisance).
- N. Once the tanks are removed from APN 048-211-25, the applicant shall coordinate a visual inspection of the areas beneath and around the removed tanks with the Environmental Health Department. Any stained soils observed underneath the septic tanks shall be sampled and results of the sampling (if necessary) shall indicate the level or remediation efforts that may be required. In the event that subsequent testing indicates the presence of any hazardous materials beyond acceptable thresholds, a work plan shall be prepared subject to review and approval by the County of Santa Cruz Environmental Health Department in order to remediate the soil in accordance with all applicable federal, state, and local regulations prior to issuance of a grading permit. (MM 3.7-6)
- O. The project applicant shall coordinate with the County of Santa Cruz
 Environmental Health Division to ensure that project applicants properly close
 and abandon all groundwater wells within both phases of the modified project
 pursuant to applicable federal, state, and local regulations prior to grading
 activities. Soils located within the vicinity of the water wells shall be inspected.

Owner: Mid-Penninsula The Farm Inc.

If any stained soils are observed surrounding the water wells shall be sampled and in the event that subsequent testing indicates the presence of pesticide residues beyond acceptable thresholds, the potential health risks shall be evaluated and a work plan shall be prepare in order to remediate the soil in accordance with all applicable federal, state, and local regulations prior to issuance of a grading permit. (MM 3.7-7)

- P. If unknown wastes of suspect materials are discovered during construction, the project applicants shall immediately stop work in the vicinity of the suspected contaminant; remove workers and the public from the area; notify the County of Santa Cruz Planning Department or the City of Watsonville Community Development Department; secure the area as directed by the Project Engineer; and notify the Hazardous Waste/Materials Coordinator. In the event that testing indicates the presence of hazardous materials beyond acceptable thresholds, a work plan shall be prepared in order to remediate the soil in accordance with all applicable federal, state, and local regulations prior to issuance of a grading permit. (MM3.7-8b)
- IV. Prior to final building inspection, the applicant/owner must meet the following conditions:
 - A. All site improvements shown on the final approved Building Permit plans shall be installed.
 - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - C. The project must comply with all recommendations of the approved soils reports. The soils engineer must remain involved with the project during construction.

V. Operational Conditions

- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- B. Revegetation and restoration associated with the required Habitat Enhancement Plan shall be monitored for three years or until success criteria have been met, vegetation is established, and exotic species are controlled. (MM 3.4-3k)
- VI. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY and the SANTA CRUZ FLOOD CONTROL AND WATER DISTRICT ZONE 7, its officers, employees, and agents, all collectively the "COUNTY" from and



against any claim (including attorneys' fees), against the COUNTY, it officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.

- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
 - 1. COUNTY bears its own attorney's fees and costs; and
 - 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. <u>Successors Bound</u>. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.

Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

Please note: This permit expires three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

Please note: This approval applies only to the proposed development to be constructed simultaneously with City APN 019-226-42. The approved development is not intended to be a standalone project.

Appeals: Any property owner, or other person aggreed, or any other person whose interests are adversely affected by any act or determination of the Planning Commission, may appeal the act or determination to the Board of Supervisors in accordance with chapter 18.10 of the Santa Cruz County Code.







County of Santa Cruz

AMENDED

MITIGATION MONITORING AND REPORTING PROGRAM

for the Atkinson Lane Specific Plan and Planned Unit Development

PLANNING DEPARTMENT
701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123
KATHLEEN MOLLOY PREVISICH-TOM BURNS, PLANNING DIRECTOR

Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
3.1 Aestheti	cs and Visual Character			L	
All-Phases <u>1a</u> and 1b/Remainder	No significant impacts.	No mitigation measures required.	Not applicable	Not applicable	Not applicable
3.2 Agricult	ural Resources				
City Phase 2 048-231-01 048-231-17 048-231-18 048-251-09	Impact 3.2 1: Future development within the planning area will result in the conversion of approximately 42.4 acres of Prime Farmland and 1.4 acres of Farmland of Statewide Importance as designated on the California Department of Conservation Santa Cruz County Important Farmlands Map to urban uses. In addition, construction of the off-site improvements to Wagner Avenue would result in the conversion of an additional 0.8 acres of Important Farmland under the 36-foot right of way and 1.51 acres for the 52-foot right of way for a total maximum conversion of 45.31 acres of Important Farmland. This would be considered a significant impact.	The City of Watsonville General Plan contains no policies or implementation programs that require mitigation or offsets for the conversion of Important Farmland. Therefore, there are no feasible mitigation measures available to reduce the impact of agricultural land conversion from the City Phase 2 to a less than significant level. As a result, implementation of the City Phase 2 would result in a Significant and Unavoidable impact. However, if an agricultural compensation program were developed, future development within the project site would be required to participate in order to address the conversion of prime farmland.	Not applicable.	Not applicable	Not applicable.
County Phase 1b/Remainder 048-221-09	Impact 3.2-2: The proposed project would place urban land uses adjacent to agricultural uses, which may impair agricultural production and result in land use compatibility conflicts. This is considered a potentially significant impact.	MM 3.2-2a: A 200-foot interim agricultural buffer shall be established. Consistent with Policy 5.13.23 (Agricultural Buffers Required) in the Santa Cruz County General Plan and Section 16.50.095 in the Santa Cruz County Code project applicant(s) for development applications involving APN 048-221-09. shall demonstrate adequate land use separation in conjunction with Final Map consistent with the proposed Specific Plan and PUD for Phase 2 (County site) subject to review and approval by the County of Santa Cruz Planning Department. Final site plans shall include an interim 200 foot agricultural buffer within Phase 2 (County site) consistent with the conceptual land use plan for the proposed Specific Plan and PUD. The buffer distance shall be measured from the edge of the parcel to the nearest residential property line and shall include a six to eight foot barrier (e.g. vegetated fencing) adjacent to the agricultural uses and no part of the agricultural	Project Applicant	County of Santa Cruz	Project Design 0771



	Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
			buffer shall be used for public recreation, park purposes, trails, picnic areas, road or sidewalks or other uses that would encourage public use of the buffer area, except for the construction and maintenance of the Brewington Avenue extension and other infrastructure needed to support housing project(s) authorized within the County Entitlements Area. Outdoor areas designed for intensive human use shall be restricted within the buffer zone. Sidewalks and bicycle lanes shall be allowed on the western portion of the public streets located within the buffer, but restricted on the eastern portion of the street. Upon annexation of the adjacent commercial agricultural use, the interim 200-foot agricultural buffer within the Phase 2 development area shall terminate.			
325	City Phase2 048-231-01 048-231-17 048-231-18 048-221-09 048-251-09	Impact 3.2-21 The proposed project would place urban land uses adjacent to agricultural uses, which may impair agricultural production and result in land use compatibility conflicts. This is considered a potentially significant impact.	MM 3.2-2b. Consistent with the City of Watsonville Agricultural Buffer Policy, project applicants shall demonstrate adequate land use separation in conjunction with Final Map consistent with the proposed Specific Plan and PUD for Phase 2 (City site) subject to review and approval by the City of Watsonville Community Development Department. Final site plans shall include a 200 foot minimum land use buffer along the eastern boundary of the planning area within Phase 2 (City site) of the proposed project consistent with the conceptual land use plan. The buffer distance shall be measured from the edge of the parcel to the nearest residential properly line and shall include a six to eight foot barrier (e.g. vegetated fencing) adjacent to the commercial agricultural uses. Other than fencing, regional drainage facilities, and underground utilities, only landscape and related non-accessible open space components are allowed within the first 150 feet of the buffer. Within the remaining 50 feet of buffer, adjacent to the proposed development area, uses such as public streets and roads, regional and local storm drainage improvements, and other underground utilities are allowed. Sidewalks and bicycle trails shall only be	Project Applicant	City of Watsonville	Project Design
			allowed on the western portion (development side) of the street within the remaining 50-feet of the buffer, but restricted on the eastern portion of the street. Any other pedestrian trails, such as one along Corrulitos Creek, within the 200 foot agricultural buffer area shall only be permitted once a regional system has been developed adjacent to the planning area and a management plan has been developed with adjacent farm operators.			0772

-	Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
	County Phases 1a &1b/ Remainder 048-221-09 048-211-25	Impact 3.2-2: The proposed project would place urban land uses adjacent to agricultural uses, which may impair agricultural production and result in land use compatibility conflicts. This is considered a potentially significant impact.	MM 3.2-2c. Consistent with Policy 5.13.31 (Agricultural Notification Recordation for Land Divisions) in the Santa Cruz County General Plan, project applicants within the planning area shall file a Right-to-Farm Notification Statement to run with the Title as disclosure and notice in deeds at the time of transfer or sale of all properties or projects within the planning area County Entitlements Area. The statement shall inform any future property owners of the continuation of agricultural activities, including agricultural processing, in the area and shall disclose the potential effects of agricultural activities on adjacent land uses to future residents.	Project Applicant	County of Santa Cruz	Project Design
	3.3 Air Qua	lity				· .
36	All-Phases <u>1a</u> <u>and</u> 1b/Remainder 048-231-01 048-231-17 048-231-18 048-221-09 048-251-09 048-251-09 048-211-25 019-226-42 019-226-43	Impact 3.3-1: The proposed project would result in short-term air quality impacts associated with construction activities, including grading, operation of construction equipment, and demolition of existing structures at the planning area. This is considered a potentially significant impact.	MM 3.3-1: Project applicants limit areas of active disturbance to no more than 2.2 acres per day for initial site preparation activities that involve extensive earth moving activities (grubbing, excavation, rough grading), or 8.1 acres per day for activities that involve minimal earth moving (e.g. finish grading) during all phases of construction activities within the Atkinson planning area in accordance with the Monterey Bay Unified Air Pollution Control District CEQA Guidelines. If the proposed modified project requires that grading and excavation exceed those acreages, project applicants shall implement the following fugitive dust measures during grading and excavation and incorporate these measures on all grading plans for future development within the planning area subject to review and approval by the County of Santa Cruz Planning Department or the City of Watsonville Community Development Department: • Water all active construction areas at least twice daily;	Project Applicant	City of Watsonville and/or County of Santa Cruz	Construction
	019-236-01		 Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard; 		·	
			 Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites; Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites; Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets; 			-0773



Phase/APN	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
		 Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more); 			
		 Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.); 		,	
		Limit traffic speeds on unpaved roads to 15 mph;			
		Install appropriate best management practices or other erosion control measures to prevent silt runoff to public roadways;			
		Replant vegetation in disturbed areas as quickly as possible;			
		 Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site; 			
		Limit the area subject to excavation, grading and other construction activity at any one time;			
37	,	 Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints (the person shall respond to complaints and take corrective action within 48 hours); and 			
		Ensure that the phone number of MBUAPCD is visible to the public for compliance with Rule 402 (Nuisance).			
All Phases 1a and 1b/Remainder 048-211-25 048-231-18 019-226-43 019-226-44	in the demolition of four residential homes and	Mitigation measures MM 3.7-3a and MM 3.7-3b in Section 3.7, Hazards and Hazardous Materials would require that each structure is inspected by a qualified environmental specialist for the presence of asbestos containing materials (ACMs) and lead based paints (LBPs). If ACMs and LBPs are found during the investigations, a remediation program shall be developed to ensure that these materials are removed and disposed of by a licensed contractor in accordance with all federal, state and local laws and regulations.	Project Applicant	City of Watsonville and/or County of Santa Cruz	Demolition and Construction
AH-Phases <u>1a</u> and <u>1b/Remainder</u> <u>1 048 231 01</u> 048 231 17	Impact 3.3-3: The proposed project would result in long-term stationary and vehicular emissions, which would exceed the MBUAPCD thresholds.	MM 3.3-3: Fireplaces proposed for future residential development within the planning area shall be gas-fired and meet U.S. Environmental Protection Agency (EPA) certification requirements. The use of wood-burning fireplaces or wood burning stoves shall be prohibited in perpetuity on all residential properties included within the proposed modified project and shall be recorded on the title of all parcels and run with the land. This measure shall be demonstrated on all proposed tentative	Project Applicant	City of Watsonville and/or County of Santa Cruz	Project Design 0777

Phase/APN	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
048-231-18 048-221-09 048-251-09 048-211-25 019-226-42 019-226-43 019-226-44 019-236-01		maps and improvement plans prior to approval of building permits within the planning area. In addition, project applicants within the planning area shall consider implementation of MBUAPCD-recommended mitigation. The City of Watsonville Community Development Department and the County of Santa Cruz Planning Department shall review proposed tentative maps and improvement plans to identify emission reduction measures that are incorporated into the plans and staff may recommend additional measures as practical and feasible including the following: • Incorporate energy-efficient appliances into residential uses. • Orient buildings to minimize heating and cooling needs; • Provide shade trees to reduce cooling needs; • Include energy-efficient lighting systems;		Compinance	
3.4 Biologi	cal Resources	 Include solar water heaters or centralized water heating systems; and Increase insulation beyond Title 24 requirements to minimize heating and cooling needs. 			
All-Phases 1a and 1b/Remainder 048-231-01 048-231-17 048-231-18 048-221-09 048-251-09 048-251-09 048-211-25 019-226-42 019-226-43 019-226-44 D19-236-01	Impact 3.4-1: A population of federally Threatened and California Endangered Santa	MM 3.4-1: Subject to review and approval by the County of Santa Cruz Planning Department and the City of Watsonville Community Development Department, project applicants shall ensure that all construction and staging activities occur outside of APN 048-211-24 (PG&E parcel) containing Santa Cruz tarplant during all phases of the proposed modified project. Prior to construction activities, project applicants shall install temporary construction fencing and informative signs around the perimeter of APN 048-211-24 as construction occurs in the vicinity of this parcel. The location and integrity of the fence shall be verified in the field by County or City staff prior to grading and periodically checked throughout the construction period. Following construction, project applicants within the County Entitlements Area Phase 1 (County site) and Phase 2 (City-site) shall install permanent fencing around the perimeter of APN 048-211-24.	Project Applicant	City of Watsonville and/or County of Santa Cruz	Construction -0775
All-Phases	Impact 3.4 2: The California red-legged frog	MM 3.4-2ar At the recommendation of the USFWS, project	Applicant	County of Santa	Prior to Issuance of





	Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
39	048-221-09 048-211-25 019-226-42 019-226-43 019-226-44 019-236-01	(CRLF) is federally listed as 'Threatened' and considered a CDFG 'Species of Special Concern.' Although presence is unlikely, potential habitat for CRLF is present within the planning area and the planning area is located within dispersal distance of known CRLF localities. Project activities such as vegetation removal, grading, excavating, and vehicle and equipment travel may result in "take" of CRLF. This adverse direct impact is considered a potentially significant impact.	applicants shall conduct CRLF protocol level surveys within the planning area prior to issuance of the building permit. Surveys shall be conducted in accordance with the USFWS recommendations by an approved biologist and shall include a set of eight field surveys that shall be conducted between February and September in order to examine the site during the CRLF breeding, non-breeding, and dispersal seasons. If CRLF are observed in the planning area during protocol surveys, preconstruction surveys, inspections, or subsequent construction activities during all phases of the proposed project, project applicants shall cease all work within the planning area. Capturing, handling, moving, or harassing CRLF is considered a violation of the ESA. If CRLF are observed, the applicant shall initiate consultation with the USFWS and CDFG to determine the appropriate permitting action; a section 7 consultation and development of an HCP may be required. Project conditions may be developed in consultation with USFWS and CDFG to avoid "take" of CRLF that may occur within the planning area during construction activities. Project activities shall not resume until final federal approval of the proposed project is received.		Cruz and/or City of Watsonville	a Building Permit
	All-Phases <u>1a</u> and <u>1b/Remainder</u> 048-221-09 048-211-25 019-226-42 019-226-43 019-226-44 019-236-01	Impact 3.4-2: The California red-legged frog (CRLF) is federally-listed as 'Threatened' and considered a CDFGCDFW 'Species of Special Concern.' Although presence is unlikely, potential habitat for CRLF is present within the planning area and the planning area is located within dispersal distance of known CRLF localities. Project activities such as vegetation removal, grading, excavating, and vehicle and equipment travel may result in "take" of CRLF. This adverse direct impact is considered a potentially significant impact.	MM 3.4-2b: Project applicants shall have a USFWS-approved biologist conduct CRLF preconstruction surveys a minimum of 48 hours prior to initiation of project activities. Pre-construction surveys shall consist of two days and two nights, spaced a week apart, with notification to the USFWS.	Applicant	County of Santa Cruz and/or City of Watsonville	Prior to Ground Disturbance

Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
City Phase 2 048-231-17	Impact 3.4-2: The California red legged frog (CRLF) is federally listed as "Threatened" and considered a CDFG 'Species of Special Concern." Although presence is unlikely, potential habitat for CRLF is present within the planning area and the planning area is located within dispersal distance of known CRLF localities. Project activities such as vegetation removal, grading, excavating, and vehicle and equipment travel may result in "take" of CRLF. This adverse direct impact is considered a potentially significant impact.	MM 3.4-2er-Prior to initiating construction activities within Phase 2 (City site), the project applicant(s) shall ensure that the irrigated agricultural basin is dry through the following processes: Discontinue pumping into the basin and cap the adjacent well to prevent leakage. Allow remaining water to evaporate naturally; do not dewater the basin.	Applicant	City of Watsonville	Prior to Issuance of a Building Permit
AH-Phases 1a and 1b/Remainder 048-221-09 048-211-25 019-226-42 019-226-43 019-226-44 019-236-01	Impact 3.4-3: The WPT is a CDFGCDFW Species of Special Concern.' WPT is known to occur within the planning area. Project activities may result in direct impacts to WPT utilizing portions of the planning area that are scheduled for construction. Land use changes to upland areas and potential dispersal habitat may result in indirect impacts to the viability of the local WPT population. Interference with the movement of any native wildlife species is considered under CEQA and is considered a potentially significant impact.	MM 3.4-3a: Based on the lack of suitable habitat within the onsite pond and the absence of a viable population of WPTs, the following shall be implemented. Prior to construction of the Phase 1 project, a qualified herpetologist shall conduct three consecutive days of pond turtle trapping within the freshwater marsh to evaluate the existing turtle population and to determine its viability. If it is determined that a viable western pond turtle population is present, a Western Pond Turtle habitat Enhancement Plan shall be prepared and implemented as described in MM 3.4-3b. If it is determined that no pond turtles are present, or that the existing population is no longer viable, During preconstruction surveys, all captured western pond turtles shall be permanently relocated under the direction of the qualified herpetologist in consultation with CDFGCDFW. In addition, a Habitat Enhancement Plan shall be prepared by a qualified wetland ecologist, hydrologist and landscape architect that includes the following improvements to the wetland: (a) Removal of non-native vegetation; (b) Development of a wetland and upland planting plan to benefit wetland functions and values;	Project Applicant	County of Santa Cruz and/or City of Watsonville	Prior to Issuance of a Building Permit, Construction, and Post-construction
in the state of th		 (c) Revegetation of the wetland buffer with native riparian and upland species; (d) Development of a monitoring program; and (e) Development of success criteria for habitat enhancement. 		٠	0777
All Phases	Impact 3.4 3: The WPT is a CDFG 'Species of Special Concern.' WPT is known to occur within the planning area. Project activities	MM 3.4-3bt If it is determined that a viable western pond turtle population is present, a Habitat Enhancement Plan shall be prepared and implemented prior to the construction of Phase 1	Project Applicant	County of Santa Cruz and/or City of	Prior to Issuance of a Building Permit, Construction, and





Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
048-221-09 048-211-25 019-226-42 019-226-43 019-226-44 019-236-01	may result in direct impacts to WPT utilizing portions of the planning area that are scheduled for construction. Land use changes to upland areas and potential dispersal habitat may result in indirect impacts to the viability of the local-WPT population. Interference with the movement of any native wildlife species is considered under CEQA and is considered a potentially significant impact.	for the western pond turtle by a qualified horpetologist, wetland ecologist, hydrologist, and landscape architect. The plan shall provide specific habitat enhancement strategies intended to improve breeding, basking, aestivating, and reduced predation potential. The plan shall also specify the location of the temporary holding area and care requirements for captured pond turtles. The habitat enhancement plan may include the following improvements: (a) Removal of non-native species; (b) Removal of the earthen berm dividing the freshwater marsh from the seasonal wetland to create additional freshwater marsh habitat; (c) Eradication of bullfrogs from the pond to reduce predation and competition; (d) Placement of logs (living downed willows) and rocks at strategic locations to improve basking opportunities that are protected from predators;		Watsonville	Post-construction
		(e) Development of a wetland and upland planting plan; (f) Revegetation of the wetland buffer with native riparian and upland species to provide greater opportunity for breeding and aestivation; (g) Development of hydrologic requirements for freshwater marsh and western pond turtle; (h) Development of a monitoring program and; (i) Development of success criteria for habitat enhancement. The Habitat Enhancement Plan shall be provided to the County of Santa Cruz Planning Department, and the City of Watsonville Community Development Department for review and approval in consultation with the CDFG prior to issuance of the building permit.			·
All Phases 048-221-09 048-211-25 019-226-42 019-226-43	to upland areas and potential dispersal habitat	MM3.4 3c: If the existing pond turtle population is determined to be viable as a result of data collection during trapping, all captured western pond turtles shall be temporarily relocated to a holding area until Phase I construction and habitat enhancement has been completed. Temporary relocation may be needed for up to two years. Upon completion of the construction and implementation of the Habitat Enhancement Plan, all relocated pond turtles shall be returned to the enhanced freshwater marsh	Project Applicant	County of Santa Cruz and/or City of Watsonville	Prior to Issuance of a Building Permit, Construction, and Post-construction

Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
019-226-44 019-236-01	of the local WPT population. Interference with the movement of any native wildlife species is considered under CEQA and is considered a potentially significant impact.	within the planning area outside of the breeding season when the turtles are active. All turtle relocations efforts shall be coordinated with CDFG.			
All-Phases <u>1a</u> and <u>1b/Remainder</u> 048-221-09 048-211-25 019-226-42 019-226-43 019-226-44 019-236-01	Impact 3.4-3: The WPT is a CDFGCDFW 'Species of Special Concern.' WPT is known to occur within the planning area. Project activities may result in direct impacts to WPT utilizing portions of the planning area that are scheduled for construction. Land use changes to upland areas and potential dispersal habitat may result in indirect impacts to the viability of the local WPT population. Interference with the movement of any native wildlife species is considered under CEQA and is considered a potentially significant impact.	MM 3.4-3d: Prior to construction, exclusionary fencing shall be established around the perimeter of the 50-foot wetland buffer area around the freshwater marsh and seasonal wetland to prevent any potentially uncaptured western pond turtles from entering construction areas. The fencing shall be marked by highly visible signage indicating that human activity is prohibited within these areas. A qualified biologist shall be present during placement of the exclusionary fencing to ensure that no pond turtles are impacted. The establishment of pond turtle exclusion fencing shall only occur between the months of September and March outside of the breeding season.	Project Applicant	County of Santa Cruz and/or City of Watsonville	Prior to Issuance of a Building Permit, Construction, and Post-construction
All-Phases <u>1a</u> and 1b/Remainder 048-221-09 048-211-25 019-226-42 019-226-43 019-226-44 019-236-01	Impact 3.4-3: The WPT is a CDFGCDFW 'Species of Special Concern.' WPT is known to occur within the planning area. Project activities may result in direct impacts to WPT utilizing portions of the planning area that are scheduled for construction. Land use changes to upland areas and potential dispersal habitat may result in indirect impacts to the viability of the local WPT population. Interference with the movement of any native wildlife species is considered under CEQA and is considered a potentially significant impact.	MM 3.4-3e: All captured pond turtles shall be tagged and fully documented at the time of capture (e.g., number, sex, age, carapace length, weight, overall condition, etc.). All non-native turtles that are captured shall also be documented and not returned to the wild. Trapping requirements, the holding location and required care during the holding period shall be coordinated with the CDFGCDFW and included in the Habitat Enhancement Plan.	Project Applicant	County of Santa Cruz and/or City of Watsonville	Prior to Issuance of a Building Permit, Construction, and Post-construction
All-Phases <u>1a</u> and <u>1b/Remainder</u> 048-221-09 048-211-25 019-226-42	Impact 3.4-3: The WPT is a CDFGCDFW 'Species of Special Concern.' WPT is known to occur within the planning area. Project activities may result in direct impacts to WPT utilizing portions of the planning area that are scheduled for construction. Land use changes to upland areas and potential dispersal habitat may result in indirect impacts to the viability of the local WPT population. Interference with the movement of any native wildlife	MM 3.4-3f: A "Species Sensitivity Training" program will be established for western pond turtle during all phases of the proposed modified project. This program will be designed to educate construction personnel about the mitigation measures required for the execution of the project. All construction personnel will attend the sensitivity training that will provide instruction on western pond turtle identification, status and detailed protocol of the actions that should be taken in the event that a western pond turtle is encountered onsite during	Project Applicant	County of Santa Cruz and/or City of Watsonville	Prior to Issuance of a Building Permit, Construction, and Post-construction

Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
019-226-44 019-236-01	species is considered under CEQA and is considered a potentially significant impact.	construction activities.			
County Phase 1 & 2 1a and 1b/Remainder 048-221-09 048-211-25 019-226-42 019-236-01	Impact 3.4-3: The WPT is a CDFGCDFW 'Species of Special Concern.' WPT is known to occur within the planning area. Project activities may result in direct impacts to WPT utilizing portions of the planning area that are scheduled for construction. Land use changes to upland areas and potential dispersal habitat may result in indirect impacts to the viability of the local WPT population. Interference with the movement of any native wildlife species is considered under CEQA and is considered a potentially significant impact.	MM 3.4-3g: Implementation of the Habitat Enhancement Plan shall occur during the construction of the Phase 1 portions of the project. During the Construction of project sites located within the County Entitlements Area the Phase 2 of the County site, exclusion fencing shall be placed around the eastern-adjacent perimeter of the wetland buffer to preclude any potential turtles from entering the construction area. In addition, brightly colored temporary construction fencing shall also be placed along the eastern adjacent perimeter to keep out construction personnel and equipment.	Project Applicant	County of Santa Cruz	Prior to Issuance of a Building Permit, Construction, and Post-construction
AH-Phases <u>1a</u> and <u>1b/Remainder</u> 048-251-09 048-221-09 048-211-25 019-226-42 019-226-43 019-226-44 019-236-01	Impact 3.4-3: The WPT is a CDFGCDFW 'Species of Special Concern.' WPT is known to occur within the planning area. Project activities may result in direct impacts to WPT utilizing portions of the planning area that are scheduled for construction. Land use changes to upland areas and potential dispersal habitat may result in indirect impacts to the viability of the local WPT population. Interference with the movement of any native wildlife species is considered under CEQA and is considered a potentially significant impact.	 MM 3.4-3h: To avoid harming WPT that may have evaded trapping (MM 3.4-3ea), project applicants shall implement the following measures during Phase 1a & b/Remainder of construction and Phase 2 construction. Where trenching occurs, provide an escape ramp at each end of the open trench to avoid entrapment. The ramp may be constructed of dirt fill, wood planking, or other suitable material that is placed at an angle of 30 degrees or less. Backfill open segments of trench as soon as possible to avoid entrapment. At the beginning of each day, check under all parked equipment for WPT before use. If any WTP are observed under equipment or within the work area, do not disturb or handle it. Cease project activities and contact the CDFG and the City or County for further guidance. During project activities, all trash that may attract predators shall be properly contained, removed from the work site and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas. All fueling and maintenance of vehicles and other equipment and staging areas shall not occur within or near wetland and/or riparian habitats or water bodies. A plan to allow a prompt and effective response to accidental spills shall be developed. All workers shall be informed of the 	Project Applicant	County of Santa Cruz and/or City of Watsonville	Prior to Issuance of a Building Permit, Construction, and Post-construction

	Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
			 importance of preventing spills and of the appropriate measures to be taken should a spill occur. The agencies should be contacted regarding spills if the approved biologist anticipates that impacts to WPT may occur as a result of the spill. Smoke in areas clear of vegetation and away from hazardous materials. Dispose of cigarette butts in an appropriate area away from the planning area. 			
44	AH Phases 1a and 1b/Remainder 048-231-01 048-231-17 048-231-18 048-221-09 048-251-09 048-211-25 019-226-42 019-226-44 019-236-01	Impact 3.4-3: The WPT is a CDFGCDFW 'Species of Special Concern.' WPT is known to occur within the planning area. Project activities may result in direct impacts to WPT utilizing portions of the planning area that are scheduled for construction. Land use changes to upland areas and potential dispersal habitat may result in indirect impacts to the viability of the local WPT population. Interference with the movement of any native wildlife species is considered under CEQA and is considered a potentially significant impact.	MM 3.4-3i — Before and during clearing of vegetation, or initial ground disturbing activities, a qualified biologist shall conduct a preconstruction survey for the WPT.	Project Applicant	County of Santa Cruz and/or City of Watsonville	Prior to Issuance of a Building Permit, Construction, and Post-construction
	County Phase 1a & 1b/ Remainder 2 048-211-25 048-221-09	Impact 3.4-3: The WPT is a CDFGCDFW 'Species of Special Concern.' WPT is known to occur within the planning area. Project activities may result in direct impacts to WPT utilizing portions of the planning area that are scheduled for construction. Land use changes to upland areas and potential dispersal habitat may result in indirect impacts to the viability of the local WPT population. Interference with the movement of any native wildlife species is considered under CEQA and is considered a potentially significant impact.	MM 3.4-3j: Access into the freshwater marsh habitat and associated wetland buffer by humans and/or their pets shall be discouraged. Permanent signage shall be placed at the perimeter of the wetland buffer area clearly stating that people and their pets should not enter the wetland area or associated buffer due to the presence of sensitive habitat.	Project Applicant	County of Santa Cruz	Prior to Issuance of a Building Pennit, Construction, and Post-construction
	County Phase 1a & 1b/	Impact 3.4-3: The WPT is a CDFGCDFW 'Species of Special Concern.' WPT is known	MM 3.4-3k: Monitoring of the revegetation areas shall be conducted for a period of three years or until success criteria	Project Applicant	County of Santa Cruz	Prior to Issuance of a Building Permit,



Phase/APN	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
Remainder 048-221-09 048-211-25	to occur within the planning area. Project activities may result in direct impacts to WPT utilizing portions of the planning area that are scheduled for construction. Land use changes to upland areas and potential dispersal habitat may result in indirect impacts to the viability of the local WPT population. Interference with the movement of any native wildlife species is considered under CEQA and is considered a potentially significant impact.	have been met, vegetation is established, and exotic species are controlled.			Construction, and Post-construction
County Phase 1 048-221-09 048-211-25	Impact 3.4 3: The WPT is a CDFG 'Species of Special Concern.' WPT is known to occur within the planning area. Project activities may result in direct impacts to WPT utilizing portions of the planning area that are scheduled for construction. Land use changes to upland areas and potential dispersal habitat may result in indirect impacts to the viability of the local WPT population. Interference with the movement of any native wildlife species is considered under CEQA and is considered a potentially significant impact.	MM 3.4-31: Upon return to the enhanced freshwater marsh habitat, all relocated pend turtles shall be monitored annually for a period of three years to determine the overall success of the mitigation. Annual monitoring reports shall be prepared and provided to the County of Santa Cruz Planning Department, the City Watsonville Community Development Department, and the CDFG.	Project Applicant	County of Santa Cruz	Prior to Issuance of a Building Permit, Construction, and Post-construction
All-Phases <u>1a</u> and 1b/Remainder 048-231-01 048-231-17 048-231-18 048-221-09 048-251-09 048-211-25 019-226-42	nesting and wintering habitat for the white tailed kite (a 'Fully Protected species'), and nesting habitat for the yellow warbler (a CDFG 'Species of Special Concern'), as well as other common raptor and bird species. The federal Migratory Bird Treaty Act (MBTA) and CDFG Codes prohibit the destruction or possession of individual birds, birds of prey, eggs or active nests without federal and/or state authorization. Project activities may disrupt avian species, including special-status bird species that may	MM 3.4-4a: Future development within the planning area shall retain mature trees to the extent possible and replace removed trees with in-kind species and vegetation structure within the planning area. Tree replacement shall be indicated on landscape plans subject to review and approval by the County of Santa Cruz Planning Department or the City of Watsonville Community Development Department.	Project Applicant	City of Watsonville and/or County of Santa Cruz	Project Design and Construction
019-226-43 019-226-44 019-236-01	utilize habitats within the planning area.				0782

Phase/APN	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
AH-Phases la and 1b/Remainde 048-231-01 048-231-18 048-221-09 048-251-09 048-211-25 019-226-42 019-226-44 019-236-01	potential wintering habitat for the ferruginous hawk (a 'Bird of Conservation Concern'), nesting and wintering habitat for the white tailed kite (a 'Fully Protected Species'), and nesting habitat for the yellow warbler (a CDFGCDFW 'Species of Special Concern'), as well as other common raptor and bird species. The federal Migratory Bird Treaty Act (MBTA) and CDFGCDFW Codes prohibit the destruction or possession of individual birds, birds of prey, eggs or active nests without federal and/or state authorization. Project activities may disrupt avian species, including special-status bird species that may utilize habitats within the planning area.	MM 3.4-4b: If the project applicant cannot avoid construction activities outside of the breeding season (February through August) and cannot clear vegetation prior to the breeding season, a qualified wildlife biologist shall conduct avian nest surveys prior to construction activities that may disturb nests (e.g. vegetation clearing, tree removal, grading, large equipment operation, or demolition) within the Atkinson planning area during all phases of the proposed project. These surveys shall include special-status birds, and all birds (and their nests) protected under the MBTA, and shall encompass the planning area and a 200-foot-wide buffer, to examine nearby tree stands and structures. If an active nest is found, it will be necessary to consult with the appropriate resource agencies (CDFGCDFW, USFWS) to determine appropriate construction buffers or other avoidance measures. If nesting or wintering special-status birds are not found, no further action would be necessary.	Project Applicant	City of Watsonville and/or County of Santa Cruz	Project Design and Construction
All-Phases 1a and 1b/Remainde 048-231-01 048-231-17 048-231-18 048-221-09 048-251-09 048-211-25 019-226-42 019-226-43 019-226-44	posterior without and that the fell delitions:	MM 3.4-4c: If the project applicant cannot avoid construction activities during the breeding season (February through August) and cannot clear vegetation prior to the breeding season, a qualified biologist shall conduct a specific yellow warbler nest survey in the riparian and scrub habitats of the			





Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
019-226-42 019-226-43 048-211-25	roosts, which is considered a potentially significant impact.	Santa Cruz Planning Department and the City of Watsonville Community Development Department shall require that project applicants within the planning area implement the following		-	
048-221-09 048-231-17		 Conduct a pre-construction survey for bats over a minimum of four visits at least 15 days prior to the beginning of tree/vegetation removal, building demolition and other project activities, to determine if the area is being actively utilized by bats for spring/summer maternity colonies (April to September). Surveys shall also include determining if any trees or buildings marked for removal have characteristics that make them suitable bat roosting habitat (e.g., hollows, broken limbs, crevices, etc.). For any trees/snags that could provide roosting space for bats, thoroughly evaluate the trees/snags to determine if a colony is present prior to trimming or cutting. Visual inspection, trapping, and acoustic surveys may be utilized as initial techniques. Special permits from CDFGCDFW are required if trapping is conducted. Removal of any native riparian tree shall be preceded by a thorough visual inspection of foliage to reduce the risk of displacing or harming foliage roosting bats. If no roosting bats are observed, no further mitigation would be required. 			
		 If a tree or structure is determined not to be an active roost site, it may be immediately trimmed or removed. If the tree or structure is not trimmed or removed within four days of the survey, repeat night survey efforts. Removal of occupied trees/snags or structures shall be mitigated for by the creation of a snag or other artificial roost structure within suitable habitat located in the planning area. With the input from a professional bat specialist and coordination with GDFGCDFW, design alternative roost structure(s) that provide suitable habitat for winted as displaced beautiful. 			
		evicted or displaced bats. Depending on the species, artificial roost structures may not be appropriate. Coordinate with CDFGCDFW for acceptable mitigation alternatives.			
		 Protect maternity colonies that have pre-volant young (not yet able to fly). If active bat roosts are observed during the maternity roosting season, avoid disturbing the roost until after all juvenile bats are able to fly from the roost. The 			0784

Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
		project biologist must confirm there are no pre-volant young present before a colony is displaced. It is assumed that after September 1 colonies have no pre-volant young.			
·		• Coordinate with CDFGCDFW and a biologist that is permitted to handle special-status bats to develop appropriate exclusion methods if necessary. Project activities involving potential disturbances to roosting bats shall correspond with the time frame stated in the California Fish and Game Commission regulations. The CFGC stipulates bats may be excluded from occupied roosts in two time periods; between September 1 and October 15 and between February 15 and April 15 (CFGC 2006). If bats are found roosting within these time frames, it may be necessary to passively exclude them from trees or structures scheduled for removal. If necessary, prior to initiating project activities, passive exclusion methods shall be installed for a minimum of two weeks and monitored by a qualified biologist within the appropriate time frames above. At a minimum, monitoring efforts shall include conducting acoustic and evening emergence surveys.			•
048-231-01 048-231-17 048-231-18 048-221-09 048-211-25 019-236-01	Impact 3.4-6: The San Francisco dusky footed woodrat is a CDFG 'Species of Concern.' Project activities may result in destruction of potential woodrat habitat and harm to the potential San Francisco dusky footed woodrat population in the planning area. This is considered a potentially significant impact.	MM 3.4-6: The County of Santa Cruz Planning Department and the City of Watsonville Community Development Department shall require that project applicants have a qualified biologist examine the planning area for San Francisco dusky footed woodrats before and during any initial vegetation, woody debris, and/or tree removal, or other initial ground disturbing activities. If a woodrat nest/house structure is encountered in the area of disturbance, avoid disturbing the structure or evicting the individuals. Project applicants shall coordinate with CDFG to establish protective buffer widths around the structures and install exclusion zones around each structure before initiating tree/vegetation removal and ground disturbing activities. If a woodrat is incidentally encountered in the work area and does	Project Applicant	City of Watsonville und/or County of Santa Cruz	Construction
		not voluntarily move out of the area, a biological monitor, with the appropriate CDFG permits, shall be on call during project activities to relocate the animal out of the construction area to the nearest safe location (as approved and authorized by CDFG). Woodrats shall not be handled without prior agency authorization from CDFG.			0785





	Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
Į	All-Phases <u>1a</u> and 1b/Remainder	Impact 3.4-7: Construction activities may result in increased erosion, runoff, accumulation of water, and introduction of harmful materials to wetland habitats within the	Future development within the Atkinson planning area would be required to comply with each jurisdictions erosion control ordinances and comply with the National Pollution Discharge Elimination System (NPDES) permitting requirements for	Project Applicant	City of Watsonville and/or County of Santa Cruz	Construction
	048-231-01	planning area. This is considered a potentially significant impact.	construction of site stormwater discharges in accordance with			
	048-231-17	agamean mipact.	mitigation measure MM 3.8-2 in Section 3.8: Hydrology and Water Quality.			
	048-231-18 .		, and Quanty.			
	048-221-09					
	048-251-09					
	048-211-25					
- 1	019-226-42					
•	019-226-43 019-226-44					
- 1	019-226-44 019-236-01					
\vdash	· · · · · · · · · · · · · · · · · · ·					
٥	City Phase 2 048-231-01 048-231-17 048-231-18 048-251-09	Impact 3.4-8: Phase 2 (City site) of the proposed project would remove the irrigated agricultural basin and associated freshwater marsh and coast live oak riparian tree canopy in the northwest corner of the planning area near the terminus of Atkinson Lane. These habitat types are considered 'sensitive' and provide nesting and foraging habitat for avian species. Removal of this the freshwater marsh and riparian vegetation would be considered a potentially significant impact.	MM 3.4-8a: Project applicants within Phase 2 (City site) shall provide replacement wetland acreage that shall be created at a ratio of 2:1 acceptable to the City of Watsonville and the CDFG for removal of the agricultural basin in the northeastern portion of the planning area. Because the agricultural basin is manmade and actively flooded by mechanical pumps, replacement wetlands shall not be required to support "in-kind" freshwater marsh habitat. Created wetland habitat will be designed by a certified landscape architect and wetland specialist to function as wetlands, support wetland vegetation during the rainy season, and will be planted with native wetland vegetation typical of the Central California coast region (Typha angustifolia, Scirpus californicus, Salix spp., etc.) at the stormwater detention basin in the southern portion of the planning area within the expanded Crestview Park.	Project Applicant	City of Watsonville	Project Design, Construction, and Post Construction
			Long term monitoring of mitigation wetlands and existing wetlands within the planning area shall be conducted for a period of five years or until the time the established success criteria are met (see Table 3.4-3). Monitoring will be performed annually by a qualified botanist/wetland specialist to determine whether mitigation wetlands meet or exceed pre-established performance criteria. The success of wetland creation will be evaluated on the basis of density and diversity of native plant			0786

Phase/APN ¹	Environmental Impacts	Mitigation N	Acasures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
City Phase 2 048-231-01 048-231-17 048-231-18 048-251-09	Impact 3.4-8: Phase 2 (City-site) of the proposed project would remove the irrigated agricultural basin and associated freshwater marsh and coast live oak riparian tree canopy in the northwest corner of the planning area near the terminus of Atkinson Lane. These habitat types are considered 'sensitive' and provide nesting and foraging habitat for avian species. Removal of this the freshwater marsh and riparian vegetation would be considered a potentially significant impact.	Percent of Plants Surviving Pe	at a 1:1 ratio. The wetland electing the species for adations for enhancement and exted wetlands will be orts submitted to the City of or Wetland Creation Site electes Criterion We Survival in Good or Fair endition We su	Project Applicant		Project Design, Construction, and Post Construction
		same or similar vegetation stri eround the irrigated agricultur replacement avian foraging an Enhancement Plan is required	al basin to provide id nesting habitat. If a Habitat			0787



Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
		Habitat Enhancement Plan.			
3.5 Cultura	Resources			· · · · · · · · · · · · · · · · · · ·	
County Phase 1a & 1b/ Remainder 2 048-211-25 048-221-09	Impact 3.5-1: The planning area does not contain any recorded or anticipated resources of archeological, cultural, or pre-historic significance. However, site preparation and grading could disrupt undiscovered archeological and cultural resources of importance under CEQA and/or eligible for listing on the California Register. This is considered a potentially significant impact.	MM 3.5-1a: Project applicants within County Phases 1a and 1b/Remainder Phase 2 of the proposed modified project shall comply with Sections 16.40.040 and 16.42.100 of the Santa Cruz County Code (Native American Cultural Sites Ordinance), which includes regulations for the protection, enhancement, and perpetuation of Native American cultural sites. If human remains or any artifact or other evidence of a Native American cultural site are found during ground disturbance or excavation, the project applicant(s) shall cease and desist from further excavations and disturbance within 200 feet of the discovery; stake around the discovery in accordance with the requirements in the ordinance; and notify the Sherriff-Coroner if the discovery contains human remains or the Santa Cruz County Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100 shall be observed.	Project Applicant	County of Santa Cruz	Construction
City Phase 1a & 2 019-226-42 019-226-43 019-226-44 019-236-01 048-231-01 048-231-17 048-231-18 048-251-09	Impact 3.5-1: The planning area does not contain any recorded or anticipated resources of archeological, cultural, or pre-historic significance. However, site preparation and grading could disrupt undiscovered archeological and cultural resources of importance under CEQA and/or eligible for listing on the California Register. This is considered a potentially significant impact.	MM 3.5-1b: Project applicants within City Phase 1a and Phase 2 of the proposed modified project shall ensure that if any previously undisturbed cultural, historic, or archaeological resources are uncovered in the course of site preparation, clearing or grading activities that the City of Watsonville Community Development Director is notified and operations within 200 feet of the discovery are halted until such time as a qualified professional archaeologist can be consulted to evaluate the find and recommend appropriate action. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented subject to review and approval by the City of Watsonville Community Development Department.	Project Applicant	City of Watsonville	Construction
048-231-01	archeological, cultural, or pre-historic significance. However, site preparation and	MM 3.5-1c: If human remains of Native American origin are discovered during ground-disturbing activities, project applicant(s) shall comply with state laws relating to the dispositions of Native American burials, which falls within the jurisdiction of the California Native American Heritage Commission (NAHC) (Public Resources Code, Section 5097.98). If human remains are discovered or recognized in any	Project Applicant	City of Watsonville and/or County of Santa Cruz	Construction 0788

Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
048-231-18	listing on the California Register. This is	location other than a dedicated cemetery, there shall be no			
048-221-09	considered a potentially significant impact.	further excavation or disturbance of the planning area or any nearby area reasonably suspected to overlie adjacent human			
048-251-09		remains until:			
048-211-25		The Santa Cruz County Sheriff-Coroner has been informed			
019-226-42		and has determined that no investigation of the cease of			
019-226-43		death is required, and			
019-226-44		If the remains are of Native American origin,			
019-236-01		o The descendants from the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave good as provided in the Public Resources Code, Section 5097.98, or			
		The California NAHC was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the NAHC.			
3.6 Geology	and Soils		<u> </u>		
All-Phases 1a and 1b/Remainder	resulting in the exposure of people and/or	MM 3.6-1: Future development within the planning area shall be designed in accordance with the requirements of the current edition of the CBC. Project applicants within the planning area shall consult with a qualified engineer to prepare a design level	Project Applicant	City of Watsonville and/or County of Santa Cruz	Project Design
048-231-01	structures to potentially substantial adverse	geotechnical report in accordance with the CBC and the			
048-231-17	effects, including the risk of loss, injury, or death. This is considered a potentially	recommendations contained with the Feasibility Level			
048-231-18	significant impact.	Geotechnical Investigation and Engineering Geology Report, prepared by Pacific Crest Engineering in March 2009.			
048-221-09		Recommendations included in the Feasibility Geotechnical			
048-251-09		Investigation and Engineering Geology Report include: site			
048-211-25		grading, cut and fill slopes, erosion control, utility trenches, surface drainage, pavement design, and soil corrosivity. Prior to			
019-226-42		final inspection, project applicants shall provide certification			
019-226-43		from a qualified professional that all development has been			0
019-226-44		constructed in accordance with all geologic and geotechnical			0789
019-236-01	•	reports.			9
All-Phases <u>1a</u> and	Impact 3.6-2: The potential for liquefaction to occur along the area southern embankment of	MM 3.6-2: Project applicants shall consult with a qualified engineer to perform a quantitative evaluation of liquefaction and	Project Applicant	City of Watsonville and/or County of	Project Design



Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
1b/Remainder 048-231-01 048-231-17 048-231-18 048-221-09 048-211-25	Corralitos Creek, the central area, and near the pond in the western portion of the site is high and consequently the potential for lateral spreading is high, which could result in potential structural damage and associated human safety hazards. This is considered a potentially significant impact.	liquefaction-induced lateral spreading in conjunction with a design level geotechnical report for future development within the planning area. The evaluation shall be in accordance with the recommendations contained within the Feasibility Level Geotechnical Investigation and Engineering Geology Report prepared by Pacific Crest Engineering in March 2009. The design level geotechnical report shall also specify foundations and structural elements that are designed to resist forces and potential ground settlement generated by liquefaction and lateral spreading and shall incorporate the following into the final site plans, unless the additional analysis indicates it is not necessary: Development shall be set-back a minimum of 150 feet from the southern "top of bank" for Corralitos Creek and 50 feet from the delineated wetland boundary (Appendix D) for the pond located in the western portion of the planning area. The 50 foot set back should apply to the 100-year flood plain elevation or ordinary high water mark of the pond, and Development shall be constructed upon a structural mat foundation system; likely consisting of a 12-inch thick concrete slab, with one or two layers of reinforcing steel placed within the mat.		Santa Cruz	
City Phase 2 048-231-01 048-231-17 048-231-18	Impact 3.6-3: The potential for seismically induced landsliding is considered low. However, slope failures are possible along the steep embankments of Corralitos Creek during strong seismic shaking, which could present a risk. This is considered a potentially significant impact.	Implementation of mitigation measures MM 3.6-1 and MM 3.6-2, which would require that development is set back a minimum of 150 feet from the southern "top of bank" for Corralitos Creek unless the subsequent project level geotechnical investigation allows for a reduced setback. No additional mitigation measures are necessary.	Project Applicant	City of Watsonville	Project Design
AH-Phases <u>1a</u> and <u>1b/Remainder</u> 048 231 01 048 231 17	Impact 3.6-4: The proposed project is partially located on soils with slight to moderate erosion hazard and would result in substantial soil crosion or the loss of topsoil in these areas if disturbed during short-term construction activities. This is considered a potentially significant impact.	Compliance with the respective erosion control ordinances and acquisition of the NPDES General Permit for construction activities as required by MM 3.8-2 in Section 3.8: Hydrology and Water Quality would ensure that potential soil erosion impacts associated with the proposed modified project would be less than significant.	Project Applicant	City of Watsonville and/or County of Santa Cruz	Construction
948-231-18 948-221-09 948-251-09 948-211-25					0790

L	Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
- 1	019-226-42					
1	019-226-43					
-	019-226-44					
Ľ	019-236-01					
	All Phases 1a	Impact 3.6-5: The proposed project includes	Implementation of mitigation measure MM 3.6-1, which would	Project Applicant	City of Watsonville	Project Design
	and 1b/Remainder	approximately 22 acres of expansive soils of	require that future development be designed in accordance with	a regional approxim	and/or County of	1 Toject Design
-	10/Remainder	to life or property on these portions of the planning area. This is considered a potentially	the recommendations contained within a design-level geotechnical report, would reduce this impact to a less than		Santa Cruz	
١,	048-231-01		significant level. No additional mitigation measures are			
ł	048-231-17	significant impact.	necessary.			
4	048-231-18					
1	048-221-09					
(04 8-251-09					
(048-211-25					
,	019-226-42					
1	019-226-43					
1	019-226-44					
[019-236-01			.!		
1	3.7 Hazards	and Hazardous Materials			, , , , , , , , , , , , , , , , , , , ,	
1	All-Phases <u>1a</u> and 1b/Remainder	Impact 3.7-3: The proposed project may result in the demolition of foura residential homes and associated structures at the project site, which may contain asbestos and/or lead. This would	MM 3.7-3a: Pursuant to Cal OSHA regulations, project applicants shall have each structure within the planning area within Assessor Parcel Numbers: 019-226-43, 019-226-44, 048-211-25, and 048-231-18 inspected by a qualified environmental	Project Applicant	City of Watsonville and/or County of Santa Cruz	Demolition and Construction
4	019-226-43	be considered a potentially significant impact.	specialist for the presence of ACMs and LBPs prior to obtaining			
1	019-226-44		a demolition permit from the County of Santa Cruz Planning Department and the City of Watsonville Community			
1	048-211-25		Development Department. If ACMs and LBPs are found during			
1	048-231-18		the investigations, project applicants within the planning area shall develop a remediation program to ensure that these materials are removed and disposed of by a licensed contractor in accordance with all federal, state and local laws and			
			regulations, subject to approval by the MBUAPCD, City of Watsonville, and the Santa Cruz County Environmental Health Department, as applicable. Any hazardous materials that are removed from the structures shall be disposed of at an approved			0791





Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
		landfill facility in accordance with federal, state and local laws and regulations.			
All-Phases <u>1a</u> and 1b/Remainder 019 226 43 019 226 44 048-211-25 048-231 18	Impact 3.7-3: The proposed project may result in the demolition of four residential homes and associated structures at the project site, which may contain asbestos and/or lead. This would be considered a potentially significant impact.	MM 3.7-3b: Project applicants within the planning area shall have the interior of all on-site structures within Assessor Parcel Numbers: 019-226-43, 019-226-44, 048-211-25, and 048-231-18-visually inspected by a qualified environmental specialist to determine the presence of hazardous materials prior to obtaining a demolition permit from the County of Santa Cruz Planning Department and the City of Watsonville Community Development Department. Should any hazardous materials be encountered within any of the structures, the material shall be tested and properly disposed of in accordance with federal, state, and local regulatory requirements. Any stained soils or surfaces underneath the removed materials shall be sampled. Subsequent testing shall indicate the appropriate level of remediation necessary and a work plan shall be prepared in order to remediate the soil in accordance with all applicable federal, state, and local regulations prior to issuance of a grading permit.	Project Applicant	City of Watsonville and/or County of Santa Cruz	Demolition and Construction
City Phase 2 048-231-18 048-251-09	Impact 3.7-4: There is the potential presence of hazardous materials located within the boundaries of the planning area based on the site inspection which determined that there are above ground storage tanks (ASTs) and a debris pile on APN 048-231-18, as well as evidence of a burn pit on Assessors Parcel Number 048-251-09 within Phase 2 (City site) of the proposed project. This is considered a potentially significant impact.	MM 3.7-4a. The City of Watsonville Community Development Department shall ensure that project applicants remove the miscellaneous debris (i.e., stockpiled metal piping and 55-gallon drums; etc.) on APN 048-231-18 and APN 048-251-09 within Phase 2 (City site) of the planning area prior to construction netivities at the project site. Once removed, a visual inspection of the areas beneath the miscellaneous debris shall be performed. If any stained soils are observed beneath the debris piles, the soil shall be sampled. In the event that subsequent testing indicates the presence of any hazardous materials beyond acceptable thresholds, a work plan shall be prepared in order to remediate the soil in accordance with all applicable federal, state, and local regulations prior to issuance of a grading permit.	Project Applicant	City of Watsonville	Demolition and Construction
3	Impact 3.7-4: There is the potential presence of hazardous materials located within the boundaries of the planning area based on the site inspection which determined that there are above ground storage tanks (ASTs) and a debris pile on APN 048 231-18, as well as evidence of a burn pit on Assessors Parcel Number 048-251-09 within Phase 2 (City site)	MM 3.7 4br The City of Watsonville Community Development Department shall ensure that project applicants remove and properly dispose of the aboveground storage tanks on APN 048-231-18 within Phase 2 (City site) of the proposed project at an approved landfill facility prior to construction activities within the planning area. Once the ASTs are removed, a visual inspection of the areas beneath and around the removed ASTs shall be performed. If any stained soils are observed beneath the	Project Applicant	City of Watsonville	Demolition and Construction 0792

Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
	of the proposed project. This is considered a potentially significant impact.	ASTs, the soil shall be sampled. In the event that subsequent testing indicates the presence of any hazardous materials beyond acceptable thresholds, a work plan shall be prepared in order to remediate the soil in accordance with all applicable federal, state, and local regulations prior to issuance of a grading permit.			
City Phase 2 048-231-18 City &	Impact 3.7-4: There is the potential presence of hazardous materials located within the boundaries of the planning area based on the site inspection which determined that there are above ground storage tanks (ASTs) and a debris pile on APN 048-231-18, as well as evidence of a burn pit on Assessors Parcel Number 048-251-09 within Phase 2 (City site) of the proposed project. This is considered a potentially significant impact.	MM 3.7-4e: The City of Watsonville Community Development Department shall ensure that project applicants sample and exeavate stained soils located within agricultural equipment storage areas on and within on site storage structures (located on bare soil) on APN 048-231-18 within Phase 2 (City site) of the proposed project to determine the extent of contamination prior to construction activities. If during soil removal, evidence of petroleum products appears to continue below the ground surface, sampling would be performed to characterize the extent of contamination and identify appropriate remedial measures in accordance with all applicable federal, state, and local regulations prior to issuance of a grading permit.	Project Applicant	City of Watsonville	Demolition and Construction
City & County Phase 2 048-221-09 048-231-17 048-231-18 048-251-09	Impact 3.7-5: Overhead powerlines with transformers traversing the planning area in a north/south direction are located within the planning area. This is considered a potentially significant impact.	MM 3.7-51 Prior to relocation of the transformers located within the planning area, the project applicants shall work with PG&E to identify the proper handling procedures regarding PCBs and relocate the power lines and transformers prior to development within the planning area in coordination with the City of Watsonville Community Development Department and the County of Santa Cruz Planning Department. The costs for relocation of the overhead power line shall be shared by project applicants within all phases of the proposed project.	Project Applicant	City of Watsonville	Demolition and Construction
County Phase 1a 048-211-25	Impact 3.7-6: Implementation of the proposed project may expose people or property to hazardous materials associated with the abandonment of septic systems within the planning area. This would be considered a potentially significant impact.	MM 3.7-6: Subject to review by the County of Santa Cruz Environmental Health Department, the project applicant shall map the specific location of all septic tanks located on APN 048-211-25 on a survey within Phase 1a (County site). Once located, the septic tanks shall be removed and properly disposed of at an approved landfill facility. Once the tanks are removed, a visual inspection of the areas beneath and around the removed tanks shall be performed. Any stained soils observed	Project Applicant	County of Santa Cruz	Project Design and Pre-construction
S		underneath the septic tanks shall be sampled. Results of the sampling (if necessary) shall indicate the level or remediation efforts that may be required. In the event that subsequent testing indicates the presence of any hazardous materials beyond acceptable thresholds, a work plan shall be prepared subject to			0793



Pha	ise/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
	•		review and approval by the County of Santa Cruz Environmental Health Department in order to remediate the soil in accordance with all applicable federal, state, and local regulations prior to issuance of a grading permit.			
and 1b/R 048- 019- 019- 048- 048-	Phases <u>1a</u> Remainder -211-25 -221-09 -226-42 -236-01 -231-01 -231-18 -251-09	Impact 3.7-7: Implementation of the proposed project may expose people or property to hazardous materials associated with groundwater contamination due to abandonment of agricultural water wells within the planning area. This is considered a potentially significant impact.	MM 3.7-7: The City of Watsonville Community Development Department and the County of Santa Cruz Planning Department shall ensure that project applicants properly close and abandon all groundwater wells within both phases of the proposed modified project pursuant to applicable federal, state, and local regulations prior to grading activities. Soils located within the vicinity of the water wells shall be inspected. If any stained soils are observed surrounding the water wells shall be sampled and in the event that subsequent testing indicates the presence of pesticide residues beyond acceptable thresholds, the potential health risks shall be evaluated and a work plan shall be prepare in order to remediate the soil in accordance with all applicable federal, state, and local regulations prior to issuance of a grading permit.	Project Applicant	City of Watsonville and/or County of Santa Cruz	Project Design and Pre-construction
AH-P and 1b/R 048-2 048-2 048-2 048-2 048-2 019-2	Phases 1a Remainder 231-01 231-17 231-18 221-09 251-09 211-25 226-42 226-43 226-44 236-01	Impact 3.7-8: An off-site property located at 1488 Freedom Boulevard approximately 0.16 miles from the planning area released petroleum hydrocarbons into the soil and groundwater. Should the contamination migrate towards the planning area it may contaminate the groundwater. This is considered a potentially significant impact.	MM 3.7-8a: The project applicants shall hire a qualified hazardous materials consultant with Phase I and/or Phase II experience to review files for the off-site property located at 1488 Freedom Boulevard prior to construction activities during all phases of the proposed modified project. Should files indicate that the property located at 1488 Freedom Boulevard may have impacted the planning area, Phase II testing shall occur to confirm or deny the presence of contaminated groundwater prior to construction activities. If unanticipated contaminated groundwater is found during construction activities, the project applicants shall ensure that proper safety/handling procedures are followed involving contaminated groundwater within the planning area during all phases 1a 1/Remainder of the proposed-modified project subject to review and approval by the City of Watsonville and County of Santa Cruz.	Project Applicant	City of Watsonville and/or County of Santa Cruz	Project Design, Preconstruction, and Construction
and	hases <u>la</u> emainder	Impact 3.7-8: An off-site property located at 1488 Freedom Boulevard approximately 0.16 miles from the planning area released	MM 3.7-8b: If unknown wastes of suspect materials are discovered during construction activities associated with each phase 1a and 1b/Remainder of the proposed modified project,		City of Watsonville and/or County of Santa Cruz	Project Design, Pre- construction, and Construction

Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
048-231-01 048-231-17 048-231-18 048-221-09 048-251-09 048-211-25 019-226-42 019-226-43 019-226-44 019-236-01	petroleum hydrocarbons into the soil and groundwater. Should the contamination migrate towards the planning area it may contaminate the groundwater. This is considered a potentially significant impact.	the project applicants shall immediately stop work in the vicinity of the suspected contaminant; remove workers and the public from the area; notify the County of Santa Cruz Planning Department or the City of Watsonville Community Development Department; secure the area as directed by the Project Engineer; and notify the Hazardous Waste/Materials Coordinator. In the event that testing indicates the presence of hazardous materials beyond acceptable thresholds, a work plan shall be prepared in order to remediate the soil in accordance with all applicable federal, state, and local regulations prior to issuance of a grading permit.		Сотриансе	
All-Phases <u>1a</u> and <u>1b/Remainder</u> 019-226-43 019-226-44 019-236-01 048-231-01 048-231-17 048-231-18 048-251-09 048-211-25 019-226-42	Impact 3.7-9: The planning area has historically been used for agricultural purposes for several decades and may contain pesticide residues on the soil. Pesticide residues within the planning area may pose a significant long-term chronic health threat to human health and the environment for proposed residential uses within the planning area. This is considered a potentially significant impact.	MM 3.7-9: Prior to issuance of a grading permit for future development within the County Entitlements Area planning area on APNs 019-226-43, 019-226-44, 019-236-01; 048-231-01, 048-231-125, 019-226-42, and 048-221-09; 048-231-17, 048-231-18, and 048-251-09 during Phase 1- and Phase 2 of the proposed modified project, the project applicants shall retain a qualified hazardous materials professional to conduct a Phase II Soil Investigation in order to adequately test the surface soil and subsurface soil for pesticide residues in accordance with the Department of Toxic Substances and Control (DTSC) and CalEPA Guidance Manual Interim Guidance for Sampling Agricultural Fields for School Sites, Second Revision (DTSC and CalEPA 2004) to provide a uniform approach for evaluating former agricultural properties where pesticides have been applied. The soil sampling and testing program shall be subject to review and approval by the City of Watsonville and County of Santa Cruz. Soil sampling and testing shall include, but not be limited to the following in accordance with the DTSC and CalEPA guidance documents: sampling the freshwater marsh in the western portion of the planning area adjacent to the former agricultural areas of the planning area; sampling each area of a parcel which historically produced different agricultural crops; sampling of one surface soil sample from zero to six inches and one sub-surface sample from two to three feet with the minimum number of samples based on the size of the parcel; and analytical testing for these samples for pesticide residues, including but not limited to include DDT and its derivatives	Project Applicant	City of Watsonville and/or County of Santa Cruz	Prior to issuance of a Building Permit



Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
		DDD and DDE, toxaphene, dieldrin, and aldrin. In the event that subsequent testing indicates the presence of pesticide residues beyond acceptable thresholds, the potential health risks shall be evaluated and a work plan prepared in order to remediate the soil in accordance with all applicable federal, state, and local regulations. All subsequent testing and remediation activities are subject to review and approval by the County of Santa Cruz Environmental Health Department and the City of Watsonville prior to issuance of a grading permit.			
All-Phases <u>1a</u> and <u>1b/Remainder</u> 019-226-42 019-226-43 019-226-44 048-211-25 019-236-01	Impact 3.7-10: The planning area is located in the airport approach zone for the Watsonville Municipal Airport. In addition, Assessors Parcel Number 019 226 43 and 019 226 44 and portions of Assessors Parcel Number 048-211-25, 019-226-42, and 019-236-01 are located within the Zone 6 (Traffic Pattern Zone) Safety Compatibility Zones for the Watsonville Municipal Airport. This is considered a potentially significant impact.	MM 3.7-10: Project applicants within all phases of the planning area shall file an overflight easement with the City of Watsonville to run with the title of the property as disclosure and notice in deeds at the time of transfer or sale of all properties within the planning area. The disclosure shall inform future property owners that their property is located in an airport approach zone and that the City of Watsonville has the right to regulate or prohibit light emissions, either direct or indirect which may interfere with pilot vision; regulate or prohibit release into the air any substances that would impair the visibility or otherwise interfere with the operation of aircraft including steam, dust, and smoke; and regulate or prohibit electrical emissions which would interfere with aircraft communication systems or navigational equipment. The easement shall run with the land until such time the Watsonville Municipal Airport is no longer in use.	Project Applicant	City of Watsonville and/or County of Santa Cruz	Time of Property Transfer or Sale
3.8 Hydrolo	gy and Water Quality				· · · · · · · · · · · · · · · · · · ·
City Phase 1a & County Phase 1a & b and Phase 2	project would alter existing drainage patterns, increase impervious surfaces and increase surface water runoff, thus contributing to localized drainage, flooding and crosion	MM 3.8-1a: Future development within the County Entitlements Area Phase 1 of the Atkinson planning area shall identify, with Tentative Map submittals, a detailed final drainage plan and analysis demonstrating maintenance of the predevelopment 2-year, 2-hour release rate and storage as well as the 5 year produced.	Project Applicant	City of Watsonville and/or County of Santa Cruz	Project Design and Construction
048-211-25 048-221-09	planning area. This is considered a potentially significant impact.	storage volume for the post development 25-year storm designed to control the rate and volume of stormwater runoff to			
019-226-43 019-226-44		recurrences up to the 10 year storm consistent with the County of Santa Cruz performance standards or equivalent methods, and retaining the existing functions of storage, filtration, infiltration		·	0796
	All-Phases 1a and 1b/Remainder 019-226-42 019-226-43 019-226-44 048-211-25 019-236-01 3.8 Hydrolo City Phase 1a & County Phase 1a & b and Phase 2 048-211-25 048-211-25 048-221-09 019-226-42 019-226-42 019-226-43	All-Phases 1a and 1b/Remainder 1019-226-42 1019-226-43 1019-226-44 1048-211-25 1019-236-01 3.8 Hydrology and Water Quality City Phase 1a & b and Phase 2 1048-211-25 1048-211-25 1048-221-09 105-226-42 106-226-43 107-226-43 107-226-44 108-221-09 108-226-44 109-226-42 109-226-43 109-226-44 109-226-44 109-226-44 109-226-43 109-226-44 109-226-44 109-226-44 109-226-42 109-226-43 109-226-44 109-226-44 109-226-43 109-226-44 109-226-43 109-226-44 109-226-44 109-226-43 109-226-43 109-226-44 109-226-44 109-226-43 109-226-44 109-226-44 109-226-44 109-226-42 109-226-43 109-226-44 109-226-44 109-226-44 109-226-42 109-226-43 109-226-44 109-226-44 109-226-42 109-226-43 109-226-44 109-226-44 109-226-42 109-226-43 109-226-43 109-226-44 109-226-44 109-226-43 109-226-43 109-226-43 109-226-43 109-226-43 109-226-44 109-226-43 109-22	DDD and DDE, toxaphene, dieldrin, and aldrin. In the event that subsequent testing indicates the presence of pesticide residues beyond acceptable thresholds, the potential health risks shall be evaluated and a work plan prepared in order to remediate the soil in accordance with all applicable federal, state, and local regulations. All subsequent testing and remediation activities are subject to review and approvably the County of Santa Cruz Environment Health Department and the City of Watsonville prior to issuance of a grading permit. MM 3.7-10: Project applicants within all phases of the planning area shall file an overflight easement with the City of Watsonville prior to issuance of a grading permit. MM 3.7-10: Project applicants within all phases of the planning area shall file an overflight easement with the City of watsonville properties within the Planning area. The disclosure and notice in deeds at the time of transfer or sale of all properties within the planning area. The disclosure shall inform future property owners that their property is located in an airport approach zone and that the City of Watsonville has the right to regulate or prohibit regulate or prohibit regulate or prohibit research that run with the land att would impair the visibility or otherwise interfere with the operation of aircraft including steam, dust, and smoke, and regulate or prohibit electrical emissions which would interfere with aircraft communication systems or navigational equipment. The easement shall run with the land until such time the Watsonville Municipal Airport is no longer in use. 3.8 Hydrology and Water Quality Impact 3.8-1: Development of the proposed problems within and/or in the vicinity of the planning area shall file an overflight to expert year of the property as disclosure and notice in deeds at the time of transfer or sale of all properties within the Planning area is shall file an overflight to experiment and notice in deeds at the time of transfer or sale of all properties within the Planning are	DDD and DDE, toxaphene, dicidrin, and adrin. In the event that subsequent testing indicates the presence of pesticide residues beyond acceptable thresholds, the potential health risks shall be evaluated and a work plan prepared in order to remediate the soil in accordance with all approval by the County of Santa Cruz Environmental Health Department and the City of Watsonville Municipal Airport. In addition, Assessess Parcel Number 049-236-41 and 919-236-44-and profronts of Assessess Parcel Number 049-236-43 and 919-236-40 are considered a potentially significant impact. MIN 3.7-10: Project applicants within all phases of the planning area shall file an overflight easement with the City of Watsonville Municipal Airport. This is considered a potentially significant impact. MIN 3.7-10: Project applicants within all phases of the planning area shall file an overflight easement with the City of Watsonville Municipal Airport. This is considered a potentially significant impact. MIN 3.7-10: Project applicants within all phases of the planning area. The disclosure shall file an overflight easement with the City of Watsonville has the right to regulate or prohibit legt testing during the visibility or otherwise interfere with the operation of aircraft including statem, dust, and sanker, and regulate or prohibit electrical emissions, which would interfere with aircraft communication systems or analygational equal or prohibit electrical emissions which would interfere with the Operation of aircraft including steam, dust, and sanker, and regulate or prohibit electrical emissions which would interfere with the Operation of aircraft including steam, dust, and sanker, and regulate or prohibit electrical emissions, sitch the operation of aircraft including steam, dust, and sanker, and regulate or prohibit electrical emissions which would interfere with the Operation of aircraft including steam, dust, and sanker, and regulate or prohibit electrical emissions which would interfere with aircraft communication systems or analy	DDD and DDE, toxaphene, dieldrin, and aidrin. In the event that subsequent testing indicates the presence of posticide residues beyond acceptable thresholds, the potential health risks shall be evaluated and a work plan prepared in order to remediation activities are subject over with all applicable federal, state, and local regulations. All subsequent testing and remediation activities are subject to review and approval by the County of Santa Cruz Environmental Health Department and the city of Watsonville prior to issuance of a grading permit. MIM 3.7-10: The planning area is located in the sirport approach zone for the Watsonville and local regulations. All subsequent testing and remediation activities are subject to review and approval by the County of Santa Cruz Environmental Health Department and the City of Watsonville from use in the sirport approach zone and the city of Watsonville and the sirport approach zone and the city of watsonville and the sirport approach zone and that the city of Watsonville and that the City of Watsonville and the

Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
		shall include: detailed hydrologic modeling, existing facilities, soil and topographic data; erosion control and best management practices; descriptions of proposed flood control facilities; Low Impact Development (LID) techniques; compliance with waste discharge requirements; phasing and implementation; identification of the entity that is responsible for facility design and construction; Clean Water Program compliance; and facility maintenance to ensure for long-term vegetation maintenance and access. As part of the final drainage plan, the culvert connecting the freshwater marsh to the temporary detention basin shall be designed to reduce the potential for flooding of existing and future development by passing the 100 year peak spill rate and controlling the surcharge elevation in the freshwater marsh/seasonal wetland. All drainage improvements shall be subject to review and approval by the County of Santa Cruz Public Works Director and the City of Watsonville Public Works Director. County Public Works staff shall confirm that the onsite stormwater detention facilities have been constructed in accordance with approved plans.			
City & County Phase 2 048-221-09 048-231-01 048-231-17 048-231-18 048-251-09	Impact 3.8-1: Development of the proposed project would alter existing drainage patterns, increase impervious surfaces and increase surface water runoff, thus contributing to localized drainage, flooding and crosion problems within and/or in the vicinity of the planning area. This is considered a potentially significant impact.	MM 3.8-1b: Future development within Phase 2 of the planning area shall identify, with Tentative Map submittals, a detailed final drainage plan designed to control the rate and volume of stormwater runoff to pre development conditions for a variety of storm event recurrences up to the 25-year storm consistent with the conceptual stormwater plan in the proposed Specific Plan and PUD and the City of Watsonville Stormwater Management Plan performance standards, or equivalent measures. The final drainage control plans shall include: detailed hydrologic modeling that takes into account the soil and topographic data; crosion control and best management practices; descriptions of proposed flood control facilities; Low Impact Development (LID) techniques; compliance with waste discharge requirements; phasing and implementation; identification of the entity that is responsible for facility design and construction; Clean Water Program compliance; and facility maintenance to ensure for long-term vegetation maintenance and access. All drainage improvements shall be subject to review and approval by the City of Watsonville Public Works Director.	Project Applicant	City of Watsonville and/or County of Santa Cruz	Project Design and Construction
Constitution of the second of		Prior to final inspection, the project applicant (s) shall provide the City of Watsonville with certification from a registered Civil Engineer or licensed contractor that the stormwater detention			97



Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
		facilities have been constructed in accordance with approved plans.			
All-Phases 1a and 1b/Remainder 048-231-01 048-231-17 048-231-18 048-221-09 048-251-09 048-251-09 048-211-25 019-226-42 019-226-43 019-226-44 019-236-01	Impact 3.8-2: Soil disturbance associated with site preparation, grading and construction activities resulting from the proposed project may cause soil erosion and sedimentation, and/or the release of other pollutants into adjacent waterways, including Corralitos Creek. This is considered a potentially significant impact.	MM 3.8-2: In order to comply with the National Pollution Discharge Elimination System (NPDES), requirements for construction of site storm water discharges, project applicants shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) if construction exceeds one acre or more within the planning area. The SWPPP shall specify how the discharger will protect water quality during construction activities subject to review and approval by the County of Santa Cruz Planning Department or the City of Watsonville Community Development Department. These measures shall include but are not limited to the following: design and construction of cut and fill slopes in a manner that will minimize crosion; protection of exposed slope areas; control of surface water flows over exposed soils; use of wetting or sealing agents or sedimentation ponds; limiting soil excavation in high winds; construction of beams and runoff diversion ditches; and use of sediment traps, such as weed-free straw bales and/or straw waddles. In addition, project applicants shall implement the following measures during construction activities within the planning area: Stabilize and revegetate all areas of disturbed soil with appropriate native species. Monitor revegetation success and take remedial measures as necessary; When hay or straw is used in erosion control, ensure that it is weed free;	Project Applicant	City of Watsonville and/or County of Santa Cruz	Project Design and Construction
		 If possible, conduct work during low- or no-flow periods. Consult weather forecasts from the National Weather Service at least 72 hours prior to performing work that may result in sediment runoff; and Inspect and clean all equipment of soil containing noxious or invasive weeds or fungus before arriving on site. If any imported fill material is necessary to bring to the site, present evidence certifying the material is void of any noxious or invasive species or pollutants. 			0798

Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
All-Phases <u>1a</u> and 1b/Remainder	Impact 3.8-3: The proposed project would generate urban non-point contaminants, which may be carried in stormwater runoff from paved surfaces to downstream water bodies. This is	Implementation of mitigation measures MM 3.8-1a and MM 3.8-1b-would require that future development prepare a detailed final drainage plan designed to control the rate and volume of stormwater runoff to pre-development conditions for a variety of	Project Applicant	City of Watsonville and/or County of Santa Cruz	Project Design and Construction
048-231-01	considered a potentially significant impact.	storm event recurrences up to the 10-year storm event for Phase			
048-231-17	,	la & 1b/Remainder (County site) and the 25-year storm event for buildout of the planning area consistent with the conceptual		:	
048-231-18		stormwater plan in the proposed Specific Plan.			
048-221-09		franchischer abouted fran			
048-251-09					
048-211-25					
019-226-42					
019-226-43					
019-226-44					
019-236-01					
All-Phases <u>1a</u> and <u>1b/Remainder</u> 048-231-01 048-231-17 048-231-18 048-221-09 048-251-09 048-251-09 048-211-25 019-226-42 019-226-43 019-226-44 [019-236-01	Impact 3.8-4: Implementation of the proposed project would increase impervious surfaces and increase surface water runoff, which may contribute to localized flooding in the vicinity of the planning area. This is considered a potentially significant impact.	As required by mitigation measures-MM 3.8-1a and MM 3.8-1b, the proposed modified project is anticipated to contain stormwater runoff within the planning area, would not increase stormwater runoff over existing conditions and therefore would not result in flooding within the planning area or in the vicinity of the planning area.	Project Applicant	City of Watsonville and/or County of Santa Cruz	Project Design and Construction
3.9 Land Us	e and Planning				
County Phase 18 & b and City Phase 2	Impact 3.9-3: Development of the proposed project could create land use compatibility conflicts with surrounding uses, which is considered a potentially significant impact.	Mitigation measures MM 3.2-1 and MM 3.2-2a in Section 3.2, Agricultural Resources require incorporation of an 200-foot buffer on the eastern portion of the planning area adjacent to existing agricultural uses within Phase 2 (City site) and an	Project Applicant	City of Watsonville and/or-County of Santa Cruz	Project Design



Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
048-231-01 048-231-17 048-231-18 048-251-09 048-221-09	However, with implementation of mitigation measures, this impact would be reduced to a less than significant level.	interim agricultural buffer within Phase 1 b/Remainder (County site) that is consistent with the proposed PUD Amendment/Modifications to the Approvals. It will also be subject to review and approval, with appropriate conditions regarding agricultural buffer design, by the County of Santa Cruz Planning Department and Agricultural Policy Advisory Commission. In addition the mitigation measures ensure that future residents are notified of potential agricultural/urban conflicts.			
3.10 Noise					·
County Phase 1a_& 1b/Remainder 2 048-211-25 048-221-09	Impact 3.10-1: The proposed project could result in construction-related noise that would exceed applicable noise standards at nearby noise sensitive land uses. This is considered a potentially significant impact.	 MM 3.10-1a: To minimize impacts associated with short-term construction noise, the County of Santa Cruz Planning Department shall ensure that project applicants incorporate the following noise control measures into construction contracts for future development within County Phases 1 and 2 of the proposed modified project in accordance with Policy 6.9.7 County of Santa Cruz General Plan: Limit construction that involves motorized equipment to Monday through Friday from 7:30 am to 4:30 pm to avoid the times of day and the days of the week when noise effects would cause the greatest annoyance to residents and to those using the area for recreation; Allow exceptions to the specified construction hours only for construction emergencies and when approved by the County of Santa Cruz Planning Department; and Post a sign that is clearly visible to adjacent land uses that provides the phone number for the public to call to register complaints about construction-related noise problems. A single disturbance coordinator shall be assigned to log in and respond to all calls. All verified problems shall be resolved within 24 hours of registering the complaint. 	Project Applicant	County of Santa Cruz	Construction
& 2 048-231-01 048-231-17	Impact 3.10-1: The proposed project could result in construction-related noise that would exceed applicable noise standards at nearby noise sensitive land uses. This is considered a potentially significant impact.	MM 3.10-1b: To reduce the effects of construction noise, the City of Watsonville Community Development Department shall ensure that the project applicants include the following on all construction contracts for future development within City Phases 1a and 2 of the proposed modified project: • Restrict construction activities within 1,500 feet of noise-	Project Applicant	City of Watsonville	Construction 0 80 0
048-231-18 048-251-09		sensitive receptors between the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday. No construction shall occur			0

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	Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
62	019-226-42 019-226-43 019-226-44 019-236-01		on legal holidays. Equipment maintenance and servicing shall be confined to the same restrictions; Construction noise reduction methods such as shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied residential areas, and use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible; During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receptors; Operate earthmoving equipment on the construction site, as far away as practical from noise sensitive receptors; Operate earthmoving equipment on the construction site, as far away from vibration sensitive sites as possible; and Post construction hours, allowable workdays, and the phone number of the job superintendent at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the City or the job superintendent receive a complaint during construction activities, the superintendent shall investigate, take appropriate corrective actions, and report the action taken to the reporting party.			
		tion and Housing				
	All Phases	No significant impacts.	No mitigation measures required.	Not applicable	Not applicable	Not applicable
	3.12 Public	Services, Utilities, and Recreation				
Second 8	All-Phases <u>la</u> and <u>lb/Remainder</u> 048-231-01	Impact 3.12-1: The proposed project would is estimated to generate approximately 1,679829 people, which would subsequently increase the demand for fire protection services within the planning area. Future development within the planning area would be required to pay	MRM 3.12-1: To fund a potential gap in funding for municipal services, if deemed necessary the City of Watsonville and the County of Santa Cruz shall work cooperatively to define and implement the appropriate funding mechanism(s) (e.g. a municipal services mitigation payment-in-lieu of taxes [PILOT] agreement, establishment of a community facilities district	City of Watsonville and County of Santa Cruz	City of Watsonville and County of Santa Cruz	Prior to issuance of Building Permit
	018-231-18 048-221-09 048-251-09 048-211-25	applicable fire impact fees at the time of issuance of the building permits. Future development will also be subject to a requirement to incorporate fire sprinklers into structures. If City and County impact fees revenues do not adequately fund fire protection	[CFD], a Mello Roos, etc.) to ensure that the proposed modified project pays its fair share to support municipal services.			0801





Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
019-226-42 019-226-43	<u>facilities and</u> services to the planning area this would be considered a potentially significant				
019-226-44	impact.				
019-226-44					
All-Phases 1a and 1b/Remainder	Impact 3.12-2: The proposed project would generate approximately 1,679829 people, which would increase demand for law enforcement services. Future development within the	Implementation of mitigation measure MRM 3.12-1 would ensure that funding of additional law enforcement services would be handled through a funding mechanism between the City and the County to ensure that the proposed modified	City of Watsonville and County of Santa Cruz	City of Watsonville and County of Santa Cruz	Prior to Issuance of a Building Permit
048-231-01 048-231-17	planning area would be required to pay applicable police impact fees at the time of issuance of the building permits. If City and	project pays its "fair share" of funding in order to provide three additional sworn officers and one civilian staff member at the City of Watsonville Police Department in order to serve the			
048-231-18	County impact fees do not adequately fund law	planning area under project buildout.			,
048-221-09	enforcement <u>facilities and</u> service to the planning area, this would be considered a				
048-251-09	potentially significant impact.	·			
048-211-25					
019-226-42					
019-226-43					
019-226-44	11 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1				
019-236-01		?			
All-Phases <u>1a</u> and 1b/Remainder		Implementation of mitigation measure MRM 3.12-1 would be handled through a funding mechanism between the City and the County to ensure that the proposed modified project pays its	City of Watsonville and County of Santa Cruz	City of Watsonville and County of Santa Cruz	Prior to Issuance of a Building Permit
048-231-01	the proposed project would provide an additional 3.5 acre park adjacent to Crestview	"fair share" of funding in order to meet acceptable thresholds, including the projects "fair share" of funding parks and			
048-231-17	Park, and payment of applicable fees for parks and recreational uses. If City and County	recreation facilities with buildout of the proposed project.			
048-231-18	impact fees do not adequately fund park and				
048-221-09	recreation facilities and services capability, this				
048-251-09	would be considered a potentially significant impact.				373
Q48-211-25	F				80
Q19-226-42					0802
019-226-43					- -
019-226-44					
019-236-01					

PI	hase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
<u>an</u>	H-Phases <u>1a</u> od o/Remainder	Impact 3.12-5: The proposed project would generate approximately 1,679829 people, which would increase demand for library services. The proposed project would result in an	Implementation of mitigation measure MRM 3.12-1 would be handled through a funding mechanism between the City and the County to ensure that the proposed modified project pays its "fair share" of funding for library facilities with buildout of the	City of Watsonville and County of Santa Cruz	City of Watsonville and County of Santa Cruz	Prior to Issuance of a Building Permit
04	18-231-01	crease in expenditures as a result of increased rvice level demands. If City impact fees do				
04	18-231-17	not adequately fund library facilities and				
04	18-231-18	service capability, this would be considered a				
04	18-221-09	potentially significant impact,	·			
04	1 8-251-09					
	18-211-25					
3	19-226-42					
	19-226-43					
1	1 9 226 44					
01	19-236-01					
<u>un</u>	II-Phases <u>la</u> ad b/Remainder	Impact 3.12-8: Implementation of the proposed project would result in construction of on-site water infrastructure in order to serve the proposed project. If City and County impact	Future development within the planning area would be required to pay applicable development impact fees at the time of issuance of the building permits. The County and the City will enter into an agreement to fund infrastructure costs for the	City of Watsonville and County of Santa Cruz	City of Watsonville and County of Santa Cruz	Prior to Issuance of a Building Permit
04	18-231-01	fees do not adequately fund water infrastructure	proposed modified project not covered by City or County impact			
04	18-231-17	improvements, this is considered a potentially significant impact.	fees and taxes. Funding of additional services would be handled through levies on future development in order to meet			
04	18-231-18		acceptable thresholds as required by mitigation measure MRM			
04	48-221-09		3.12-1.			
04	1 8-251-09					
04	18-211-25					
	19-226-42					
- 1	19-226-43					ò
A Tarakan	19-226-44					0803
01	9-236-01					ū
an	H-Phases <u>1a</u> d b/Remainder	Impact 3.12-9: The proposed project would require expansion of stormwater facilities onsite, the construction of which could cause significant environmental effects. Future development within the planning area would be	Implementation of mitigation measure MRM 3.12-1 would ensure that funding of additional services would be handled through levies paid by future development in order to meet acceptable thresholds, including the projects "fair share" of funding for stormwater infrastructure with buildout of the	City of Watsonville and County of Santa Cruz	City of Watsonville and County of Santa Cruz	Prior to Issuance of a Building Permit



Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
048-231-01	required to pay applicable impact fees at the	proposed project.			
048-231-17	time of issuance of the building permits. If City and County impact fees do not adequately fund stormwater infrastructure, this would be				
048-231-18					
048-221-09	considered a potentially significant impact.			:	
048-251-09					
048-211-25					
019-226-42					
019-226-43	,				
)19-226-44					
019-236-01					
3.13 Transp	ortation and Circulation				
County Phases 1 & Phase 2 Phases 1a and 1b/Remainder 048-221-09 048-211-25	Impact 3.13-5: The proposed project would result in an increase in traffic at the East Lake Avenue (Highway 152)/Holohan Road intersection that would increase the volume to capacity ratio by more than one percent at an intersection that is currently operating at an unacceptable level of service (LOS E or F). In accordance with the County of Santa Cruz significance criteria, this is considered a potentially significant impact.	MM 3.13-5: Prior to occupancy of the proposed project, project applicants within the County Entitlements Area planning area shall pay their proportional fair share towards improving the eastbound approach on Holohan Road at the East Lake Avenue (Highway 152)/Holohan Road intersection to include a dedicated eastbound left-turn lane, a shared eastbound left-turn/through lane and a dedicated right-turn lane. The estimated cost of this improvement is \$1,225,100 1.5 million dollars. Phase 1a (MidPen Housing project) of the modified project would pay a fair share contribution of 0.40-percent of the estimated improvement cost (\$4,900), while developments within the remainder of the County Entitlements Area would pay an estimated 1.75 percent (\$21,439) of the estimated improvement cost as its percent fair share contribution (see Table 3.13-3). To fund this improvement, project applicants shall pay the Pajaro Valley Planning Area traffic impact fee to the County of Santa Cruz towards construction of this planned improvement in the County's Capital Improvement Program (CIP). Payment of impact fees to the County will cover the above fair share contribution levels as well as meet other impact fees purposes.	Project Applicant	County of Santa Cruz.	Prior to Occupancy of Project.
All Phases 1a and 1b/Remainder	NB Ramps/Harkins Slough Road intersection that would increase the volume to capacity ratio	MM 3.13-6: Prior to occupancy of the proposed project, project applicants within the County Entitlements Area planning area shall pay their proportional fair share towards installation of a traffic signal at the Highway 1 NB Ramps/Harkin Slough Road and the Highway 1 SB Ramps/Harkin Slough Road	Project Applicant	City of Watsonville and County of Santa Cruz	Prior to Issuance of Building Permits

Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
048-231-01 048-231-18 048-221-09 048-251-09 048-251-09 048-211-25 019-226-42 019-226-43 019-226-44 019-236-01	is currently operating at an unacceptable level of service (LOS E or F). In accordance with the County of Santa Cruz significance criteria, this is considered a potentially significant impact.	intersections. This signal shall be coordinated/interconnected with the intersection of Harkins Slough Road/Green Valley Road due to the close spacing of these intersections and the potential overflow of queues and the new signal at the southbound ramp terminal. The estimated cost of this improvement is approximately \$424,700 520,000 dollars. Phase 1a (MidPen Housing project) of the modified The proposed project would shall pay a fair share contribution of 0.182.36 percent (\$764) of the estimated improvement cost, while developments within the remainder of the County Entitlements Area would pay an estimated 0.66 percent (\$2,803) of the estimated improvement cost as its percent fair share contribution which is \$12,272 (see Table 3.13-3). The fair share contribution is calculated as the project portion of all future traffic that would be added to the intersection for both peak hours. To fund this improvement, project applicants shall pay applicable traffic impact fees to the City of Watsonville towards construction of this improvement prior to issuance of building permits. Payment of traffic impact fees to the City and County will cover these fair share contribution levels as well as meet other impact fee purposes. The City of Watsonville is updating their fee program and fee ordinance and will adopt the program prior to implementation of the first phase of the proposed project. The City of Watsonville shall coordinate with Caltrans on improvements to this intersection.			
All Phases 1a and 1b/Remainder 048-231-01 048-231-17 048-231-18 048-221-09 1948-251-09 1948-251-09 1979-226-42 1979-226-43 1979-226-44	Impact 3.13-7: The proposed project would increase the volume/capacity ratio by more than one percent during both the AM and PM peak hours at the Airport Boulevard/Freedom Boulevard intersection, which is currently operating at unacceptable levels of service (LOS E of F). In accordance with the County of Santa Cruz significance criteria, this would be considered a potentially significant impact.	MM 3.13-7: Prior to occupancy of the proposed project, project applicants within the planning area shall pay their proportional fair share towards installation of a second through and right-turn lane on the Airport Boulevard approach from Highway 1 and a second left-turn lane on Freedom Boulevard at the Airport Boulevard/Freedom Boulevard intersection. The receiving leg on Airport Boulevard shall be widened in order to accommodate the additional through-lanes. The estimated cost of these improvements is approximately \$855,100 1,047,000 dollars. Phase 1a of the modified project would pay a fair share contribution of 0.987.57 percent (\$8.380) of the estimated improvement cost, which is \$79,257 while developments within the remainder of the County Entitlements Area Phase 1b would pay an estimated 3.50 percent (\$29,929) of the estimated improvement cost as the- fair share contribution. The fair share contribution is calculated as the project portion of all future	Project Applicant	City of Watsonville and County of Santa Cruz	Prior to Issuance of Building Permits 0 0 0





Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
019-236-01	•	traffic that would be added to the intersection for both peak hours. The City of Watsonville is updating their fee program and fee ordinance and will adopt the program prior to implementation of the first phase of the proposed project. To fund this improvement, project applicants shall pay applicable traffic impact fees to the City of Watsonville towards construction of this improvement prior to issuance of building permits. Payment of traffic impact fees to the City (20 units) and to the County (26 units) will cover these fair share contribution levels as well as meet other impact fee purposes.			
AH-Phases <u>1a</u> and <u>1b/Remainder</u> 048-231-01 048-231-17 048-231-18 048-221-09 048-251-09 048-251-09 048-211-25 019-226-42 019-226-43 019-226-44 019-236-01	Impact 3.13-8: The proposed project would result in an increase in traffic at the Highway I NB Ramps/Larkin Valley Road intersection that would increase the volume to capacity ratio by more than one percent, which is currently operating at an unacceptable level of service. In accordance with the County of Santa Cruz significance criteria, this is considered a potentially significant impact.	MM 3.13-8: Prior to occupancy of the proposed modified project, project applicants within the County Entitlements Area planning area shall pay their proportional fair share towards installation of two roundabouts (one at the northbound hook ramp terminal and one at the Airport Boulevard/Larkin Valley intersection) at the Highway 1 NB Ramps/Larkin Valley Road Intersection. Since the ramp terminal and the intersection of Airport Boulevard/Larkin Valley Road are closely spaced, improvements shall take both intersection operations into consideration when constructing the proposed improvements. The estimated cost of these improvements is \$1,029,0001,260,000 dollars. Phase 1a (MidPen Housing project) of the modified The-project would pay a fair share contribution of 0.818.70 percent (\$8,335) of the estimated improvement cost, while developments within the remainder of the County Entitlements Area Phase 1b would pay an estimated 2.77 percent (\$28,504) of the estimated improvement cost which is \$109,620 as the fair share contributions. The fair share contribution is calculated as the project portion of all future traffic that would be added to the intersection for both peak hours. To fund this improvement, project applicants shall pay applicable traffic impact fees to the City of Watsonville towards construction of this improvement. This obligation will be met through payment of traffic impact fees to the City (20 units in Phase 1a), and a portion of the County's impact fees received by the County (\$130 per unit) shall be paid to the City by the County. The City of Watsonville is updating their fee program and will adopt the program prior to implementation of the first phase of the proposed project. The City of Watsonville shall coordinate with Caltrans and prepare a Project Study Report for improvements to this intersection.	Project Applicant	City of Watsonville and County of Santa Cruz	Prior to Occupancy of Project 0 80

Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
All-Phases 1a and 1b/Remainder 048-231-17	Impact 3.13-11: The left-turn pocket from Freedom Boulevard onto Crestview Avenue would increase substantially with implementation of the proposed project and create an operational deficiency. Therefore, this is considered potentially significant impact.	MM 3.13-11a: The first project applicant on APNs 019-236-01 and 048-221-09 (Lamb properties), 048-251-09, 048-231-17 or 048-231-18, shall design, fund and implement the southbound left-turn pocket from Freedom Boulevard to Crestview Drive to lengthen the pocket by at least 2550-feet. The existing storage	Project Applicant	City of Watsonville and County of Santa Cruz	Prior to Occupancy of Project
048-231-17		length is 150 feet and the SimTraffic analysis indicated a 95% queue of 175 feet. The estimated cost of this improvement is \$16,300 20,000 and shall be funded by the first applicant for development on APN 048-221-09 (Lamb) within the planning area. This improvement shall be either installed by the first applicant prior to occupancy of any portion of these parcels or satisfied through a payment of that amount directly to the City of Watsonville. A cost share agreement will be developed by both the City and the County to ensure that these improvements are fully implemented.			
048-231-18 048-221-09					
048-221-09					
15.0					
019-236-01					
All Phases	Impact 3.13 11: The left turn pocket from Freedom Boulevard onto Crestview Avenue would increase substantially with implementation of the proposed project and create an operational deficiency. Therefore, this is considered potentially significant impact.	MM 3.13-11bt All-project applicants shall contribute their fair share toward the installation of traffic improvements in MM3.13-11a through the collection of TIA fees and/or any	Project Applicant	City of Watsonville and County of Santa Cruz	Prior to Occupancy of Project
048-231-01					
048-231-17		other fees through the cost sharing agreement.			
048-231-18					
048-221-09					
048-251-09					
048-211-25					
019-226-42					
019-226-43					
019-226-44					
019-236-01					
All Phases	Impact 3.13-12: The proposed project would result in an increase in traffic that would be experienced by the neighbors on Brewington Avenue north of Crestview Drive; Gardener Avenue, east of Freedom Boulevard; and Atkinson Lane, east of Freedom Boulevard. The addition of the project traffic could result in increased hazards on these neighborhood streets, which is considered a potentially	MM 3.13-12a: Prior to occupancy of any project on APNs 048- 211-25, 019-226-42, 019-226-44, or 019-236-01, or 048-231-01,	Project Applicant	City of Watsonville and County of Santa Cruz	Prior to Occupancy of Project 0 80
048-231-01		project applicants shall develop and implement a traffic calming			
048-211-25		plan on: 1) Atkinson Lane, east of Freedom Boulevard; and 2) Gardner Avenue, east of Freedom Boulevard, along the streets that are affected by the proposed project. The estimated cost of this improvement is \$200,000. A cost share agreement will be developed by both the City and the County to ensure that these improvements are fully implemented.			
919-226-42					
019-226-43					
019-226-44					





Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
019-236-01	significant impact.				
All-Phases 1a and 1b/Remainder 048-221-09 048-251-09 048-231-17 048-231-18	Avenue north of Crestview Drive; Gardener Avenue, east of Freedom Boulevard; and Atkinson Lane, east of Freedom Boulevard. The addition of the project traffic could result in increased hazards on these neighborhood streets, which is considered a potentially significant impact.	MM 3.13-12b: Prior to occupancy of any project development on APNs 048-221-09 and 019-236-01 (Lamb), 048-251-09, 048-231-17, or 048-231-18, project applicants shall develop and implement a traffic calming plan on Brewington Avenue north of Crestview Drive; along the streets that are affected by the proposed project. The estimated cost of this improvement is \$130,700 160,000. A cost share agreement will be developed by both the City and the County to ensure that these improvements are fully implemented. This improvement shall be installed by the first applicant prior to final occupancy of any portion of these parcels, or satisfied through payment of that amount directly to the City of Watsonville under an approach that may involve a reimbursement agreement, as other future development on the Lamb property may be required to pay their fair shares and reimburse the first applicant.	Project Applicant	City of Watsonville and County of Santa Cruz	Prior to Occupancy of Project
3.14 Green	house Gas Emissions				
Phase 1a and 1b/Remainder	No significant impacts.	No mitigation measures required.	Not applicable	Not applicable	Not applicable
4.0 CEQA	Considerations		·		
Phase 1b/ Remainder City Phase 2 048-231-17 048-231-18 048-221-09 048-251-09	Impact 4-1: Under cumulative conditions, the volume to capacity ratio at the East Lake Avenue/Wagner Avenue intersection would increase by more than one percent; and therefore, the proposed project would result in a cumulative impact to this intersection, which is considered a potentially significant cumulative impact.	MM 4-1: Project applicants within the County Entitlements Area planning area shall pay their proportionate fair share of \$81,250 towards installation of a traffic signal at the East Lake Avenue/Wagner Avenue intersection prior to occupancy of any development within the proposed modified project area. This obligation will be met through payment of impact fees to the City of Watsonville by the units located on City parcels (i.e., 20 units in Phase 1a), and a portion of the County's impact fees received by the County (\$664 per unit) shall be paid to the City by the County for a total of \$132,700 towards the installation of the signal. The estimated cost of this improvement is \$265,400 325,000. The City of Watsonville is updating their fee program and fee ordinance and will adopt the program prior to issuance of a building permit. The City of Watsonville plans to install a signal at the intersection of East Lake Avenue and Wagner Avenue. The City of Watsonville shall coordinate with Caltrans to approve design and installation of the signal.	Project Applicant	City of Watsonville	Prior to Occupancy of Project Occupancy

MITIGATION MONITORING AND REPORTING PROGRAM

for the Atkinson Lane Specific Plan and Planned Unit Development

Phase/APN ¹	Environmental Impacts	Mitigation Measures	Party Responsible for Implementing	Party Responsible for Verifying Compliance	Timing of Compliance
048-231-01 048-231-17 048-231-18 048-221-09 048-251-09 048-251-09 048-211-25 019-226-42 019-226-43 019-226-44 019-236-01	Impact 4-2: The proposed project would contribute to a significant cumulative impact to hazardous conditions on Brewington Avenue south of Crestview Drive as a result of increased traffic from the proposed project.	MM 4-2: Project applicants within the planning area shall pay their proportionate fair share contribution towards a traffic calming plan on Brewington Avenue south of Crestview Drive, which is updating its impact fee program. The estimated cost of this improvement is \$500,000. A cost share program will be developed by both the City and the County to ensure these improvements are fully implemented.	Project Applicant	City of Watsonville and County of Santa Gruz	Prior to Occupancy of Project
All-Phases 1b/ Remainder 048-231-01 048-231-17 048-231-18 048-221-09 048-251-09 048-251-09 048-211-25 019-226-42 019-226-44 019-236-01	Impact 4-3: The proposed project in combination with reasonably foreseeable future growth would result in an incremental increase of water use that would continue to contribute to depletion of water supply within the Pajaro Valley Groundwater Basin, which is currently in overdraft condition.	MM 4-3: The City's groundwater impact fee program shall apply to all future development within the County Entitlements Area. In addition, future development shall be required to for the project area shall be modified to ensure that project water demand is fully offset (at a ratio of 1.2:1) either by comparing pre-development water demand to post development water demand or by participating in a water offset program with fixture and landscaping replacements in the City's water service area or, a combination of both. The project applicants shall be responsible for working with the City, or their designee, in developing an offset program that achieves the water saving objectives and shall bear the costs associated with the offset program including any additional replacement of plumbing fixtures and landscaping retrofits identified in the City water service area to meet the stated goals. Pre-development water demand shall be accounted for on a per parcel basis.	Project Applicant	City of Watsonville and County of Santa Cruz	Prior to Occupancy of Project



- The specified Assessor Parcel Numbers are responsible for either triggering the specified Mitigation Measure and/or contributing their fair share contribution of impact fees.









ATKINSON LANE, WATSONVILLE, CA MIDPEN PENINSULA THE FARM, INC. SITE PLAN

APN: CITY: 019-228-42 COUNTY: 048-211-25

△ 2nd Submillal 2-6-14 3rd Submittal 4-1-14

SITE DATA

HET ACRES: 2.8 = 113,265 SF (BOTH PARCELS) (NET EXCLUDES WETLAND AREA)

5,771 SF 23,047 SF 38,754 SF 68,572 SF

40,000 BF 47,559 SF

0.61

BUILDING 1 AREA: BUILDING 2 AREA: BUILDING 3 AREA: TOTAL BUILDING AREA:

FLOOR AREA RATIO:

BUILDING 1 COVERAGE: 3,022 SF BUILDING 2 COVERAGE: 8,523 SF BUILDING 3 COVERAGE: 14,181 SF TOTAL BUILDING COVERAGE: 25,690 SF

TOTAL FAMILY UNITS:

180; 280;

PARKING AREA:

380: TOTAL: COUNTY PARCEL UNIT MIX:

180: 280: 380:

TOTAL; CITY PARCEL UNIT MIX: CITY PARCEL UN CITY PARCEL 1: 18D: 28D: 380:

TOTAL: CITY PARCEL 2: 18D: 28D:

CITY PARCEL TOTAL: 20

JBD: TOTAL:

DENSITY: 10.0 AT CITY PARCEL 1 ZE O AT COUNTY PARCEL

CITY PARCEL PARKING REQUIRED: 2.0 SPACES/UNIT: 40
GUEST 1 PER 4 BEDROOMS; 12
TOTAL REQUIRED: 52

COUNTY PARCEL PARKING REQUIRED: COUNTY PARCEL PARKING REQUIRE
1 S PPACES/-BD UNIT: 30
2 6 SPACES/-BD UNIT: 20
2 6 SPACES/-BD UNIT: 20
GUEST 20% OF TOTAL: 11
TOTAL REQUIRED 68
JOW MAX. COMPACT (20 PROVIDED)

TOTAL FARKING REQUIRED: 118

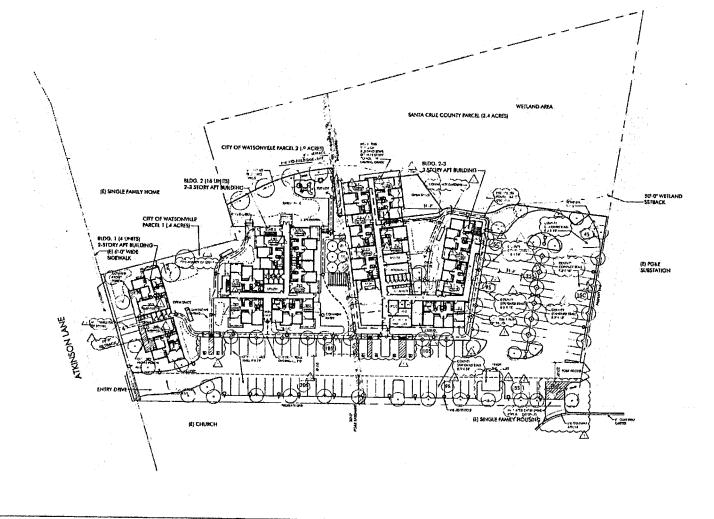
TOTAL PARKING PROVIDED COUNTY PARCEL TOTAL:

ACCESSIBLE PARKING REQUIRED/PROVIDED

COMMON OPEN SPACE (COUNTY PARCEL): COMMON OPEN SPACE (CITY PARCELS):



JOB NO. 552.008 DATE 4-14-14 CITY & COUNTY PARCELS



CONSULTANTS

DEVELOPER:

MIDPEN HOUSING

275 Main Street Stree 204 W 831 707 7143 831 761 7218 FAX

CIVIL ENGINEERS:

WHITSON ENGINEERS 831 464 9363 831 464 2316 FAX disalle metetronerningen nor

ARCHITECT:

DAHLIN GROUP ARCHITECTURE/PLANNING SEES OWENS DRIVE PLEASANTON, CA 94588 CONTACT CHRS AFORTOLOPOULDS

925 251 2200 925 251 2201 FAY

LANDSCAPE ARCHITECT: BELLINGER, FOSTER, STEINMETZ 475 Profit Street, Suite 201 Manterey, CA 91940 CONTACT SIMON PHILLIPS

ARCHITECTURAL PROJECT DESCRIPTION

PIPPIN APARTMENTS BY MIDPEN HOUSING

the pippin apartments will be a residential community project consisting of 3 multi-story BUILDINGS AND WILL BE DESIGNED SPECIFICALLY TO FIT ON EACH OF THE CITY AND COUNTY PARCELS. THE SITE IS LOCATED IN AN UNINCORPORATED AREA OF SANTA CRUZ COUNTY JUST OUTSIDE THE CITY LIMITS OF THE CITY OF WATSONVILLE, CA ON A 3.8 GROSS ACRE SITE AT 36 ATKINSON LAME, WATSONVILLE, CA 95076. THE PROJECT SITE CONSISTS OF A 2.4 GROSS ACRE COUNTY PARCEL AND A 1.4 GROSS ACRE CITY OF WATSONVILLE PARCES

THE THREE BUILDINGS WILL HAVE A YOTAL OF FORTY-BIX (46) APARTMENT UNITS, CONSISTING OF 3 OHE (1) BEDROOM, 29 TWO (2) BEDROOM, AND 14 THREE (3) BEDROOM UNITS. COMMON SPACES INCLUDING A MULTIPURPOSE ROOM, COMPUTER LAB, LOUNGE AREAS, CLASSROOM SPACE AND STORAGE ARE BEING PROVIDED. OFFICES FOR PROPERTY HANAGEMENT AND SERVICE PROVIDER ARE CENTRALLY LOCATED ON THE GROUND FLOOR TO ALLOW FOR EASY ACCESS AND VISIBILITY TO THE TENANTS. UTILITY, STORAGE AND MAINTENANCE ROOMS ARE ALSO LUCATED NEAR THE OFFICES, EACH BUILDING WILL HAVE MULTIPLE STAIRWELLS TO BE PROVIDED (NO ELEVATORS) ORSITE PARKING WILL INCLUDE 119 STALLS.

A SUCCESSFUL INFILL PROJECT STUDIES THE EXISTING CONFEXT OF THE NEIGHBORHOOD AND SITE SPECIFIC PEATURES. THE RURAL MEIGHBORHOODS OF WATSONVILLE HAVE AN ARCHITECTURAL CHARACTER THAT HAS ROOTS IN FARMHOUSE STYLE VOCABULARY. WHILE THEIR CHARACTER HAS VARIETY, THERE ARE SEVERAL CONSISTENT ELEMENTS. THEY ARE PREDOMINANTLY SIMPLE FORMS WITH COVERED FRONT FORCHES THAT EXTEND THE ENTIRE WIDTH OF THE HOME OR A VERY SIMPLE STOOP. THE SIMPLE ROOP FORMS SUCH AS GABLES MANY TIMES LEND A SENSE OF SYMMETRY. MAYERLALS ARE GENERALLY LAP OR BOARD AND BATTEN SIDING WITH VARIOUS LEVELS OF DETAILING AND THIN THAT IS WHITE OR A CONTRASTING ACCENT COLOR. THE PROPOSED PROJECT HAS A SIMILAR VOCABULARY AND BLENDS INTO ITS ARCHITECTURAL

THESE ELEMENTS CAN SUCCESSFULLY FORM THE FUNDAMENTALS OF THE NEW ARCHITECTURE AS THRY LEND THEMSELVES TO A FRESH INTERPRETATION OF FARMHOUSE STYLES. THIS FORM-BASED INTERPRETATION car include flements such as simple gable forms, covered front porches and lap siding, but WITH MORE EMPHASIS ON FORM AND COLDR CHANGE THAN APPLIED DETAILING. THIS CREATES A VISUAL INTEREST IN THE BUILDINGS WHILE SIMPLIFYING THE DETAILING IN RECOGNITION OF THE IMPORTANCE OF REDUCING BUILDING MAINTENANCE EXPENSES OVER TIME.

THE LARGER BUILDINGS HAVE BEEN DESIGNED TO RESPECT THE WETLAND AREA ON THE SITE. A 50' SETBACK HAS BEEN MAINTAINED TO NOT IMPEDE WITH THIS RIPARIAN AREA. THE LARGEST BUILDING STEPS WITH THE grade and retaining walls have been added to preserve the open space. Terraced park like SPACES AND ABUNDANT LANDSCAPING HAVE BEEN ADDED TO SOFTEN THE HARD EDGES OF THE ARCHITECTURE AND ADD SHADE TO THE PARKING LOT AND OTHER OUTDOOR COMMON SPACES. IN ADDITION TO THE OPEN SPACES LISTED EVERY UNIT WILL HAVE THE OPPORTUNITY TO ENJOY SOME PRIVATE OUTDOOR SPACE IN EITHER A GROUND FLOOR PATIO OR DECK THAT ARE ACCESSED DIRECTLY FROM EACH UNIT.

TENTATIVE MAP SUBMITTAL FOR:

PIPPIN APARTMENTS

MIDPEN PENINSULA THE FARM, INC.

WATSONVILLE, CALIFORNIA

VICINITY MAP



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PIPPIN APARTMENTS

ATKINSON LANE, WATSONVILLE, CA

CITY: 019-226-42 COUNTY: 048-211-25

A 2nd Submittal 2-6-14 △ 3rd Submittal 4-1-14



L-1.0 CONSTRUCTION PLAN

L-2.0 LANDSCAPE PLAN

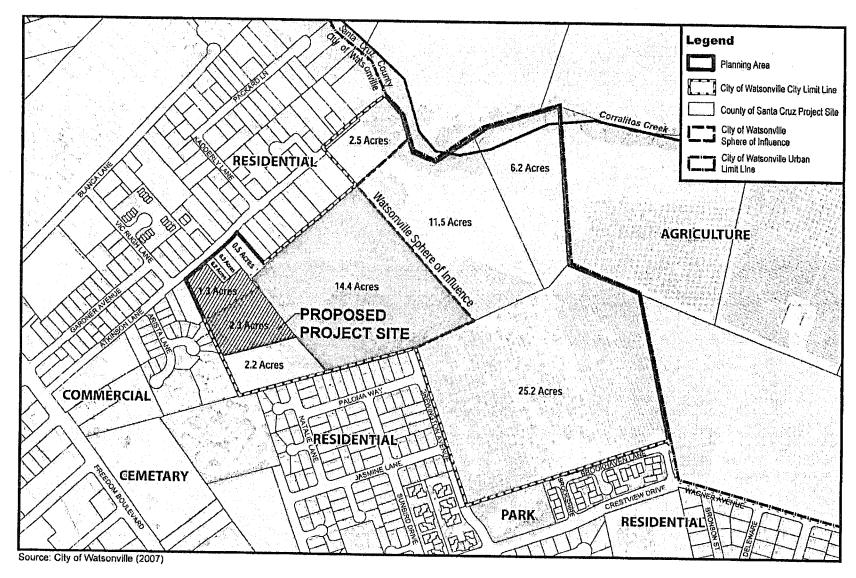
JOB NO. 552.008 DATE 4-14-14

CITY & COUNTY PARCELS

MIDPEN PENINSULA THE FARM, INC.







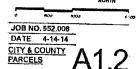


ATKINSON LANE, WATSONVILLE, CA MIDPEN PENINSULA THE FARM, INC.

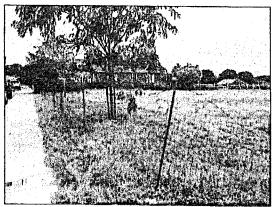
SURROUNDING LAND USES ATKINSON LANE SPECIFIC PLAN & PUD EIR CITY: 019-226-42 COUNTY: 048-211-25

2nd Submittal 2-8-14
3rd Submittal 4-1-14





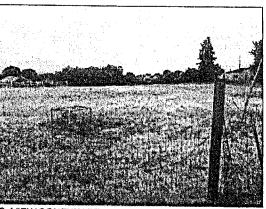




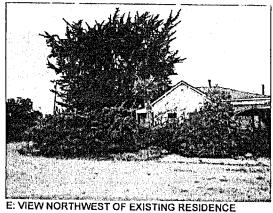
A: VIEW EAST FROM ATKINSON LANE



D: VIEW SOUTHEAST OF EXISTING RESIDENCE

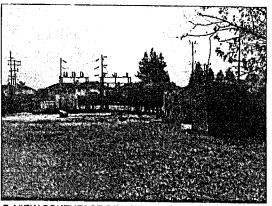


B: VIEW SOUTHEAST FROM ATKINSON LANE





C: VIEW NORTHWEST FROM EXISTING RESIDENCE



F: VIEW SOUTHEAST OF PG&E SUB STATION



SITE KEY PLAN

APN; CITY: 019-226-42 COUNTY: 048-211-25

△ 2nd Submittal 2-6-14 △ 3rd Submittal 4-1-14



JOB NO. 552.008 DATE 4-14-14 CITY & COUNTY PARCELS



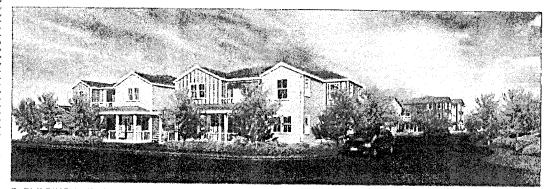




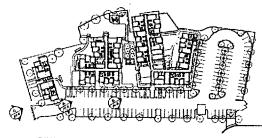
A: BUILDING 2 - FRONT ELEVATION PERSPECTIVE FROM DRIVEWAY



B: BUILDING 3 - FRONT ELEVATION PERSPECTIVE FROM DRIVEWAY



C: BUILDING 1 - FRONT ELEVATION PERSPECTIVE FROM ATKINSON LANE



SITE KEY PLAN



PIPPIN APARTMENTS

ATKINSON LANE, WATSONVILLE, CA MIDPEN PENINSULA THE FARM, INC. **ELEVATION RENDERINGS**

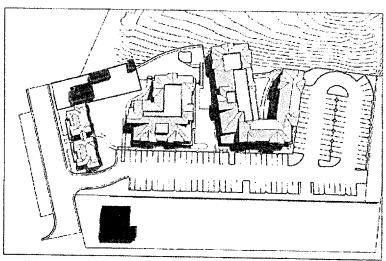
APN: CITY: 019-226-42 COUNTY: 048-211-25

△ 2nd Submittel 2-6-14 △ 3rd Submittel 4-1-14

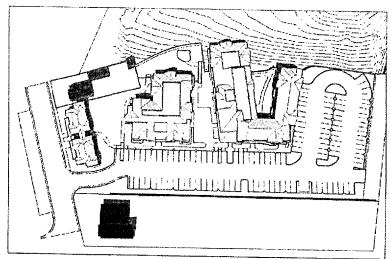


JOB NO. 552.008 DATE 4-14-14

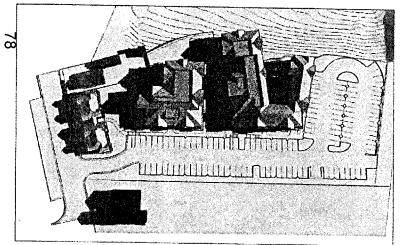
CITY & COUNTY
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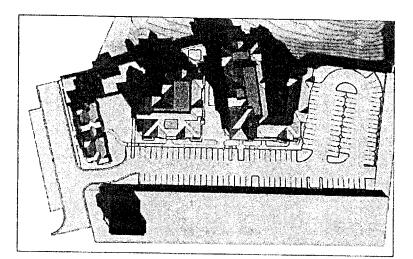
JUNE 21ST - 10:00AM



JUNE 21ST - 2:00PM



DECEMBER 21ST - 10:00AM



DECEMBER 21ST - 2:00PM



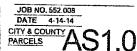


PIPPIN APARTMENTS

ATKINSON LANE, WATSONVILLE, CA MIDPEN PENINSULA THE FARM, INC. SITE PLAN SHADOW STUDIES

CITY; 019-228-42 COUNTY: 048-211-25 2nd Submittal 2-6-14 3rd Submittal 4-1-14









CITY PARCEL

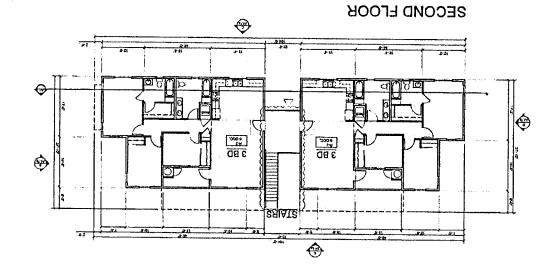
DATE 4-14-14 10B NO. 552,008

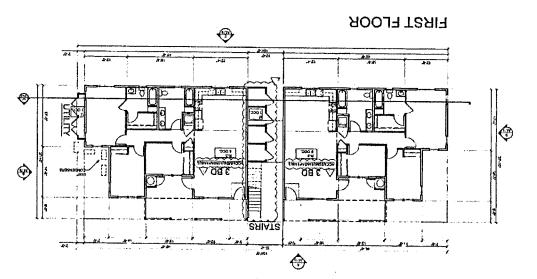
SITE KEYPLAN FWST PLOOR: 3.022 SF SECOND FLOOR: 2.745 SF TOTAL BURCHIC AREA: 9.111 SF

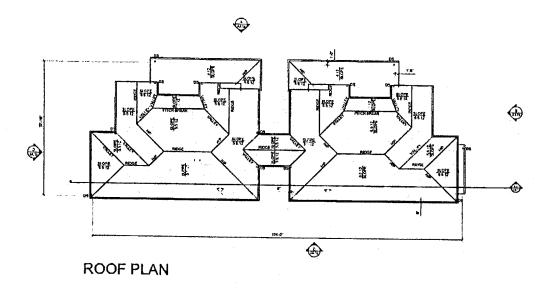
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SITE KEYPLAN







ATKINSON LANE, WATSONVILLE,CA MIDPEN PENINSULA THE FARM, INC. BUILDING 1 - CITY OF WATSONVILLE ROOF PLAN

APN:
CITY: 019-226-42
COUNTY: 048-211-25
2nd Submittal 2-8-14
3rd Submittal 4-1-14

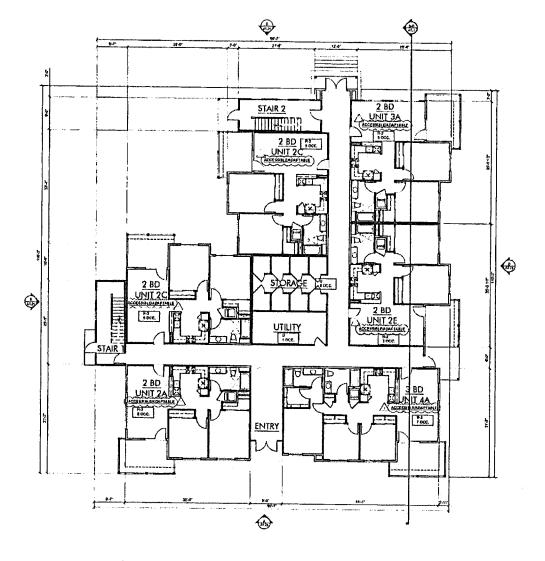
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DATE 4-14-14

CITY PARCEL A2.1







ALLOWABLE / ACTUAL FLOOR AREA APPLITING AUTOMATIC SPRINKLEN SYSTEM INCREASE FOR SUILING AREA
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COMMON SPACE FLOOR AREAS

SITE KEYPLAN





PIPPIN APARTMENTS

ATKINSON LANE, WATSONVILLE, CA MIDPEN PENINSULA THE FARM, INC.

BUILDING 2 FIRST FLOOR

CITY: 019-226-42 COUNTY: 048-211-25

APN:

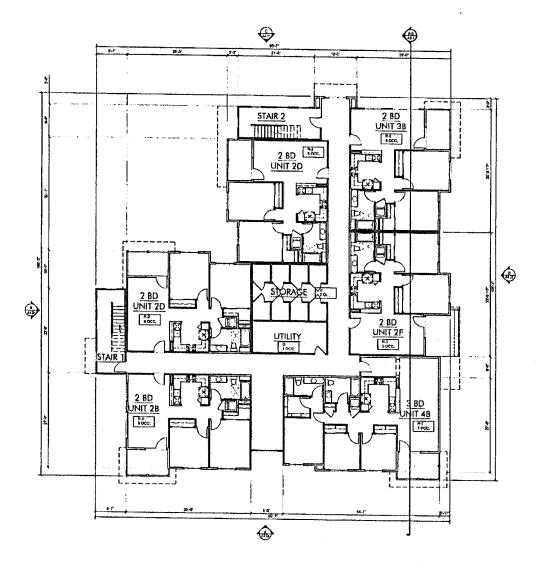
A 2rid Submittal 2-6-14 3rd Submittal 4-1-14



JOB NO. 552,008 DATE 4-14-14 CITY PARCEL

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SITE KEYPLAN





PIPPIN APARTMENTS

ATKINSON LANE, WATSONVILLE.CA MIDPEN PENINSULA THE FARM, INC. **BUILDING 2** SECOND FLOOR

APN: CITY: 019-228-42 COUNTY: 048-211-25

2nd Submittal 2-6-14 3rd Submittal 4-1-14

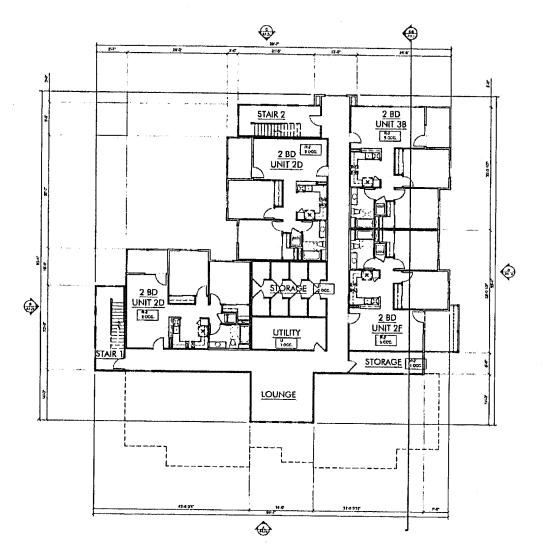


JOB NO. 552.008 DATE 4-14-14 CITY PARCEL



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BUILDING CODE ANALYSIS

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SITE KEYPLAN





PIPPIN APARTMENTS

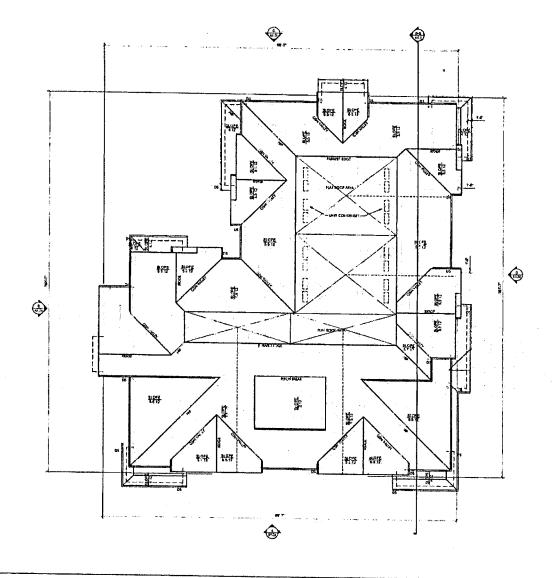
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ATKINSON LANE, WATSONVILLE, CA MIDPEN PENINSULA THE FARM, INC. **BUILDING 2** THIRD FLOOR APN: CITY: 019-228-42 COUNTY: 048-211-25

A 2nd Submittel 2-6-14 3rd Submittal 4-1-14



JOB NO. 552,008 DATE 4-14-14 CITY PARCEL



SITE KEYPLAN





PIPPIN APARTMENTS

ATKINSON LANE, WATSONVILLE, CA MIDPEN PENINSULA THE FARM, INC. BUILDING 2 ROOF PLAN APN: CITY: 019-226-42 COUNTY: 048-211-25 20d Submittal 2-6-14 3rd Submittal 4-1-14

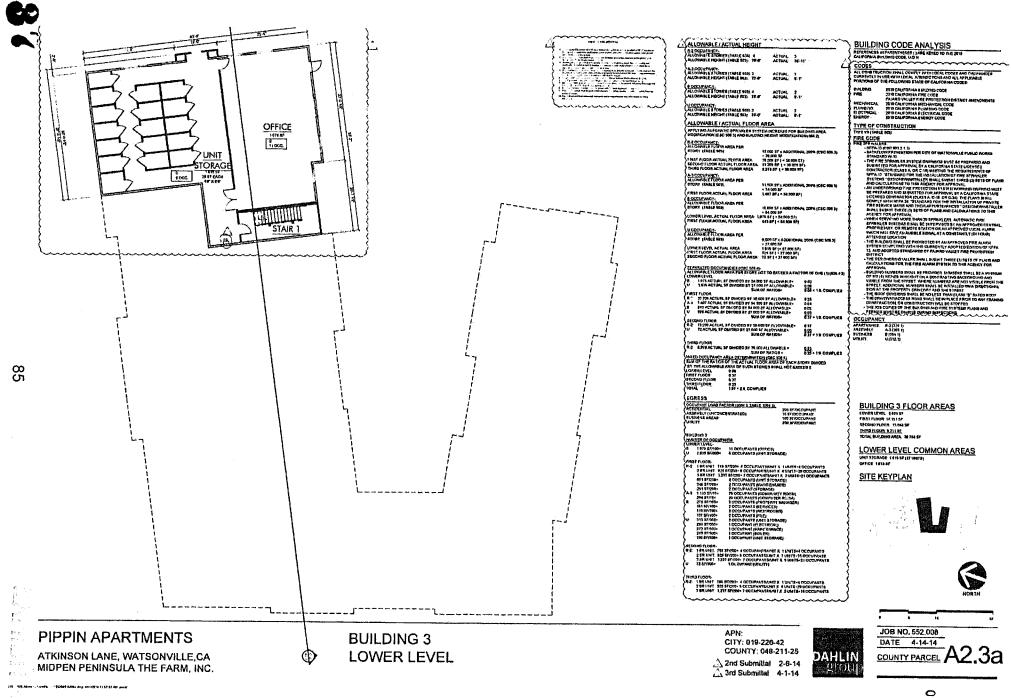


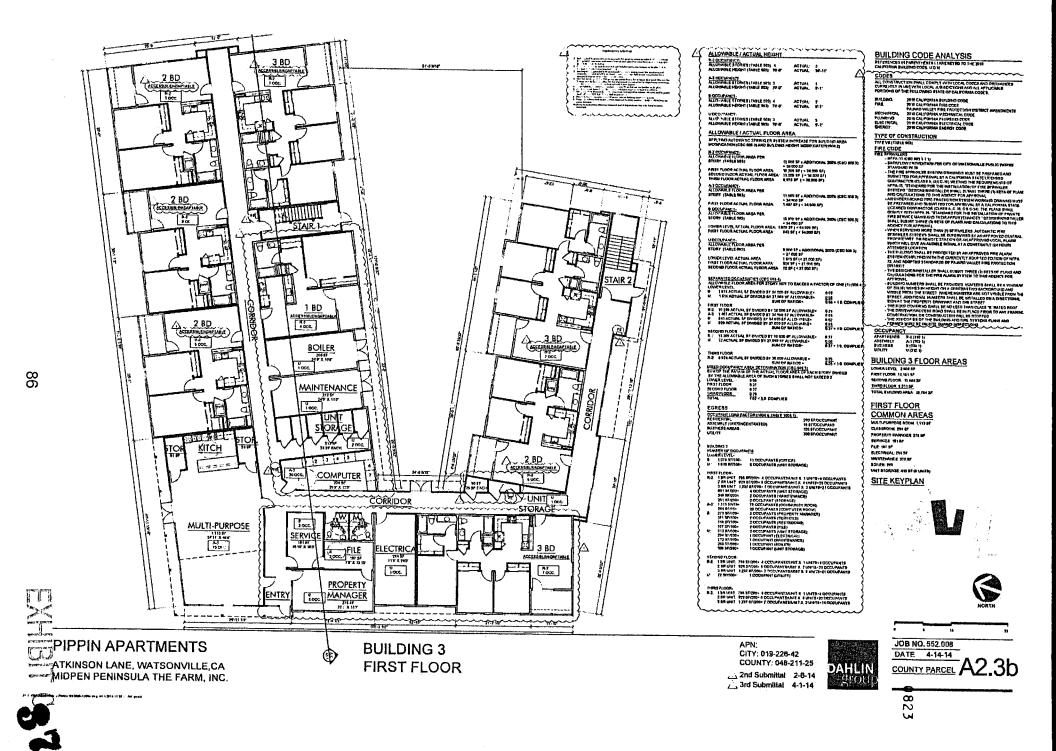
JOB NO. 552.008

DATE 4-14-14

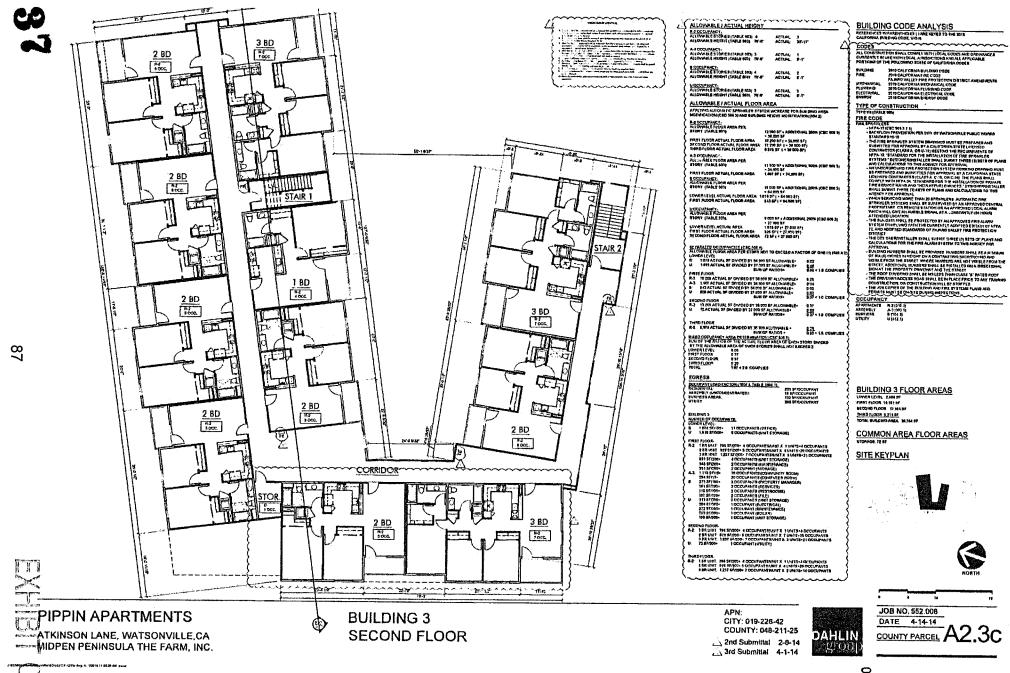
CITY PARCEL A2.20







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BUILDING 3 FLOOR AREAS

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COUNTY PARCEL A. 3C DATE 4-14-14 300.552.0N BOL

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A 2nd Submittel 2-6-14 COUNTY: 048-211-25 CITY: 019-226-42 :N4A

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ATKINSON LANE, WATSONVILLE, CA

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PIPPIN APARTMENTS

ATKINSON LANE, WATSONVILLE, CA MIDPEN PENINSULA THE FARM, INC.

BUILDING 3 ROOF PLAN APN: CITY: 018-226-42 COUNTY: 048-211-25

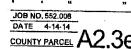
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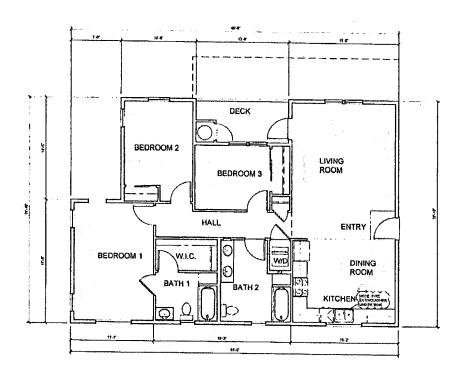
SITE KEYPLAN

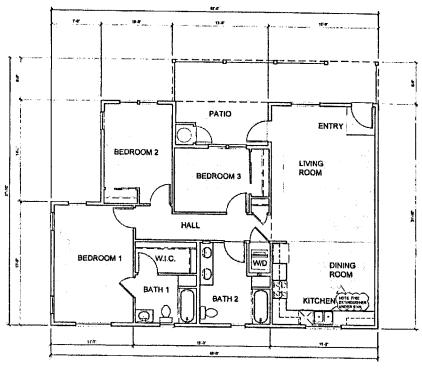






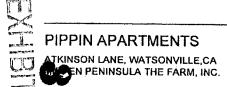






UNIT PLAN 1B (SECOND FLOOR) 1,293 SF 71 SF DECK 1,384 SF TOTAL

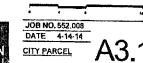
UNIT PLAN 1A (FIRST FLOOR) 1,268 SF 245 SF DECK 1,513 SF TOTAL

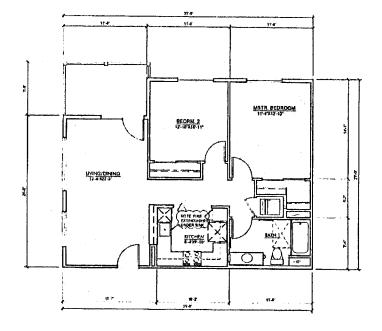


UNIT PLAN 1 CITY PARCEL (BUILDING 1) APN: CITY: 019-226-42 COUNTY: 048-211-25

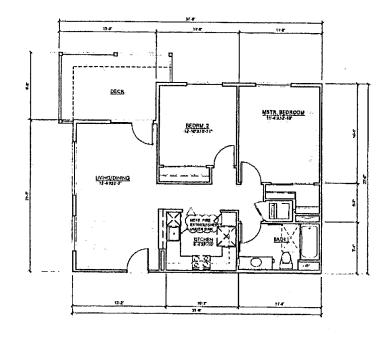








UNIT PLAN 2B (SECOND/THIRD FLOOR) 881 SF 90 SF DECK 971 SF TOTAL



UNIT PLAN 2A (FIRST FLOOR) 881 SF 142 SF DECK 1023 SF TOTAL

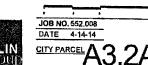


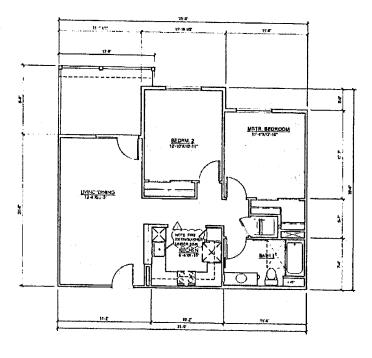
PIPPIN APARTMENTS

ATKINSON LANE, WATSONVILLE, CA MIDPEN PENINSULA THE FARM, INC. UNIT PLAN 2 CITY PARCEL (BUILDING 2) APN: CITY: 019-226-42 COUNTY: 048-211-25







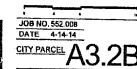


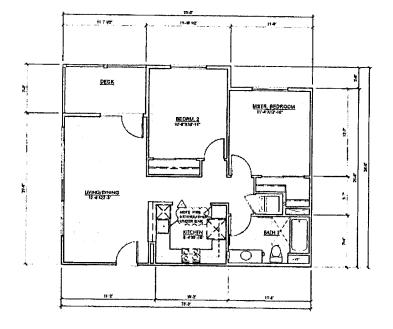
UNIT PLAN 2C (FIRST FLOOR) 882 SF 117 SF DECK 999 SF TOTAL



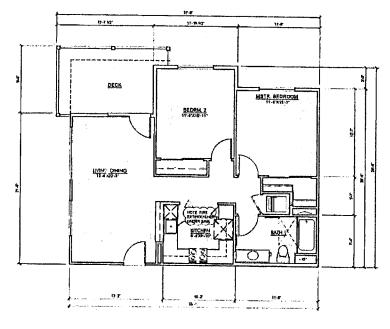
UNIT PLAN 2 CITY PARCEL (BUILDING 2)







UNIT PLAN 3B (SECOND FLOOR) 881 SF 82 SF DECK 963 SF TOTAL



UNIT PLAN 3A (FIRST FLOOR) 862 SF 139 SF DECK 1021 SF TOTAL

PIPPIN APARTMENTS

ATKINSON LANE, WATSONVILLE, CA MIDPEN PENINSULA THE FARM, INC. UNIT PLAN 3 CITY PARCEL (BUILDING 2) APN:
CITY: 019-228-42
COUNTY: 048-211-25

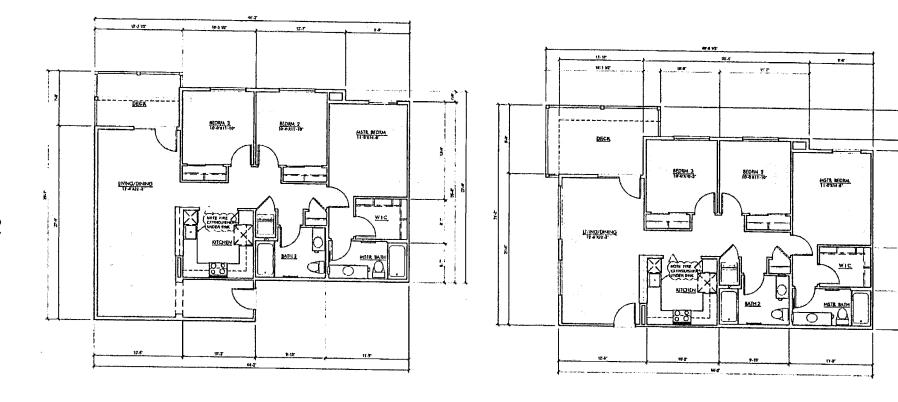
△ 2nd Submittal 2-6-14
△ 3rd Submittal 4-1-14



JOB NO. 552.008

DATE 4-14-14

CITY PARCEL A3.3



UNIT PLAN 4B (SECOND FLOOR) 1,248 SF 92 SF DECK 1,340 SF TOTAL

UNIT PLAN 4A (FIRST FLOOR) 1,114 SF 143 SF DECK 1,257 SF TOTAL

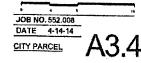
PIPPIN APARTMENTS

ATKINSON LANE, WATSONVILLE, CA MIDPEN PENINSULA THE FARM, INC. UNIT PLAN 4.
CITY PARCEL (BUILDING 2)

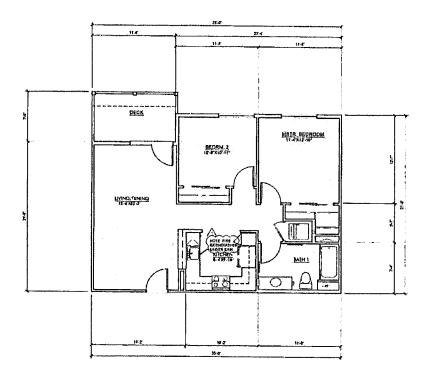
APN:
CITY: 019-226-42
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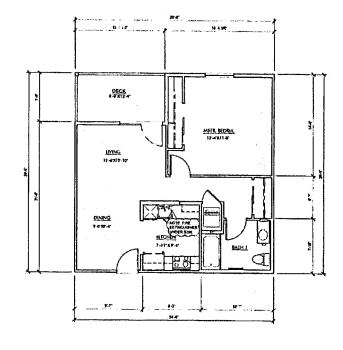








UNIT PLAN 6 846 SF 83 SF DECK 929 SF TOTAL



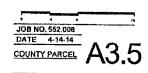
UNIT PLAN 5 710 SF 88 SF DECK 798 SF TOTAL

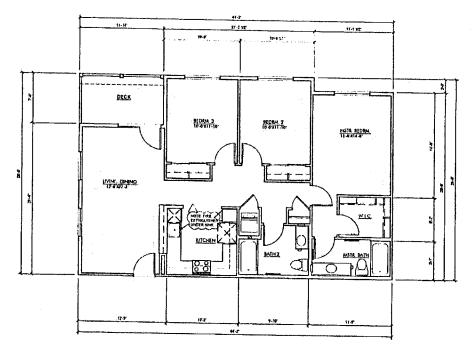
PIPPIN APARTMENTS ATKINSON LANE, WATSONVILLE, CA MIDPEN PENINSULA THE FARM, INC.

UNIT PLANS 5 & 6 **COUNTY PARCEL (BUILDING 3)**

APN: CITY: 018-226-42 COUNTY: 048-211-25 2nd Submittal 2-6-14 3rd Submittal 4-1-14







UNIT PLAN 7 1,154 SF 83 SF DECK 1,237 SF TOTAL



ATKINSON LANE, WATSONVILLE, CA MIDPEN PENINSULA THE FARM, INC.

UNIT PLAN 7 COUNTY PARCEL (BUILDING 3) APN: CITY: 019-226-42 COUNTY: 048-211-25

2nd Submittal 2-6-14 △ 3rd Submittal 4-1-14

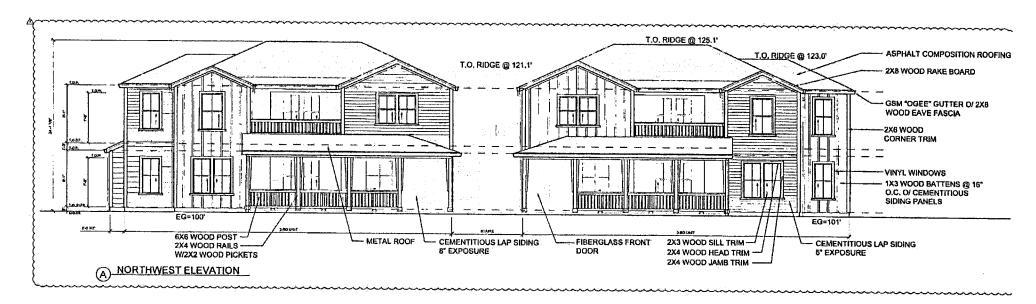


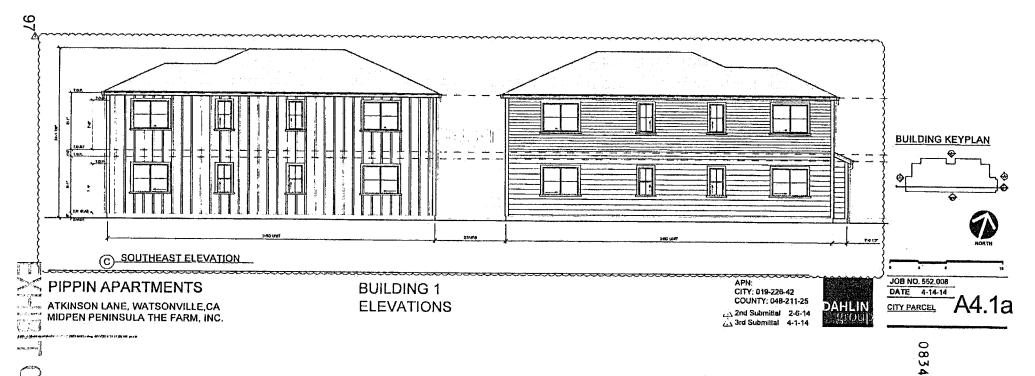


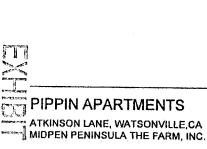


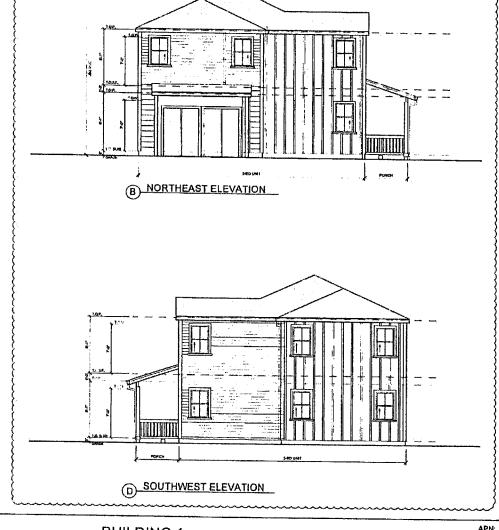






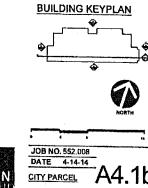






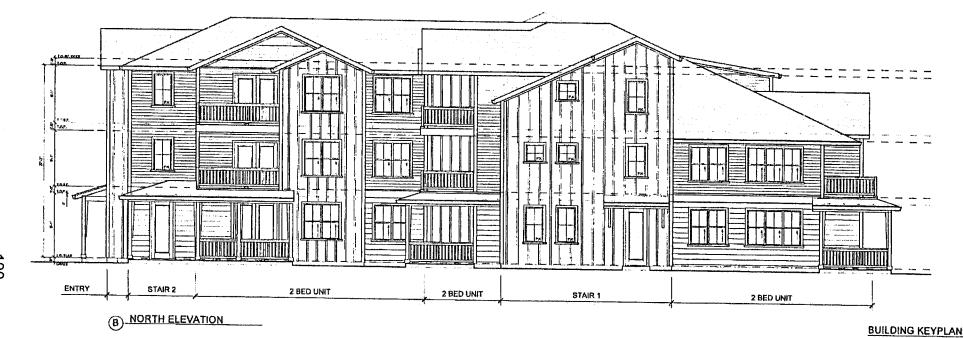
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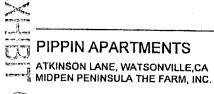












BUILDING 2 ELEVATIONS APN: CITY: 019-226-42 COUNTY: 048-211-25

2nd Submittal 2-8-14 3rd Submittal 4-1-14



DATE 4-14-14

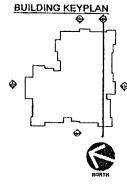
CITY PARCEL A4.2k











ATKINSON LANE, WATSONVILLE, CA MIDPEN PENINSULA THE FARM, INC. BUILDING 2 ELEVATIONS APN: CITY: 019-226-42 COUNTY: 048-211-25

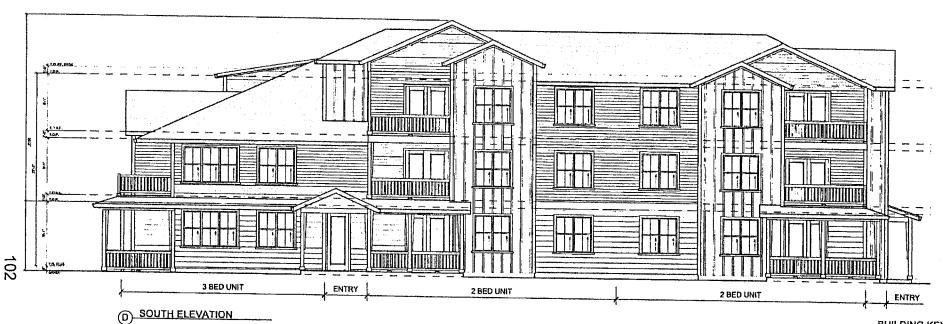
2-6-14 3rd Submittal 4-1-14

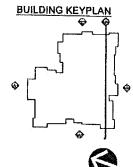
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JOB NO. 552.008

DATE 4-14-14

CITY PARCEL A4.20





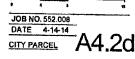


ATKINSON LANE, WATSONVILLE, CA MIDPEN PENINSULA THE FARM, INC.

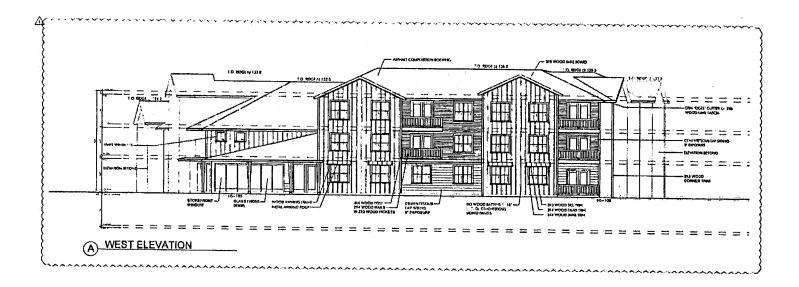
BUILDING 2 ELEVATIONS

APN: CITY: 019-226-42 COUNTY: 048-211-25 △ 2nd Submittal 2-8-14 △ 3rd Submittel 4-1-14











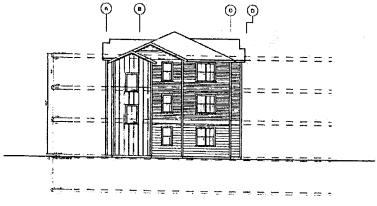
ATKINSON LANE, WATSONVILLE, CA MIDPEN PENINSULA THE FARM, INC.

BUILDING 3 ELEVATIONS CITY: 019-226-42 COUNTY: 048-211-25

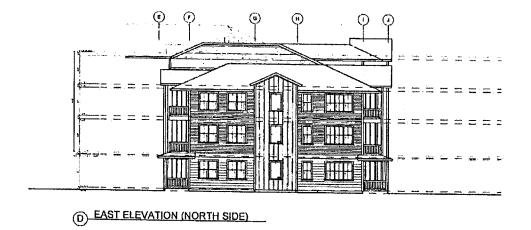
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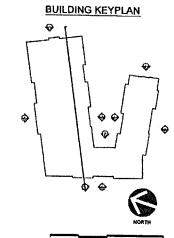
JOB NO. 552,008 DATE 4-14-14 DAHLIN COUNTY PARCEL

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© EAST ELEVATION (SOUTH SIDE)

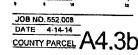




PIPPIN APARTMENTS

ATKINSON LANE, WATSONVILLE, CA MIDPEN PENINSULA THE FARM, INC. BUILDING 3 ELEVATIONS APN: CITY: 019-228-42 COUNTY: 048-211-25 2nd Submittal 2-6-14









E NORTH ELEVATION

BUILDING KEYPLAN

PIPPIN APARTMENTS
ATKINSON LANE, WATSONVILLE, CA
MIDPEN PENINSULA THE FARM, INC.

BUILDING 3 ELEVATIONS

EXISTING GRADE

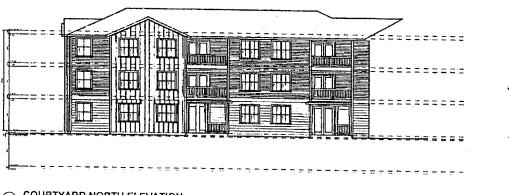
APN: CITY: 019-226-42 COUNTY: 048-211-25

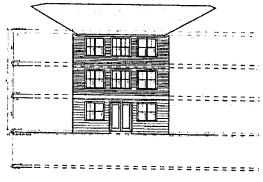
△ 2nd Submittal 2-6-14 △ 3rd Submittal 4-1-14



JOB NO. 552.008 DATE 4-14-14 COUNTY PARCEL

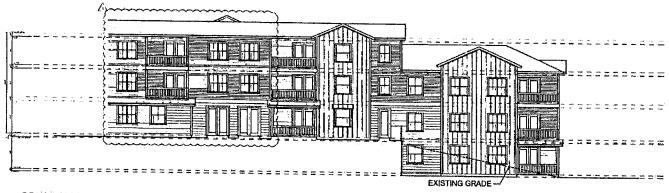
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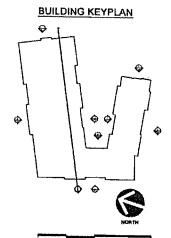


(F) COURTYARD NORTH ELEVATION

© COURTYARD EAST ELEVATION



(H) COURTYARD SOUTH ELEVATION

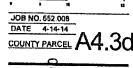


PIPPIN APARTMENTS

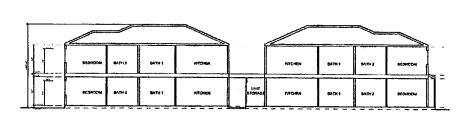
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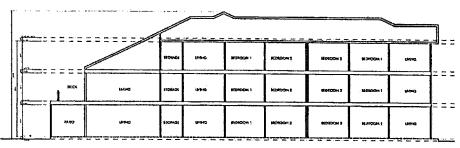
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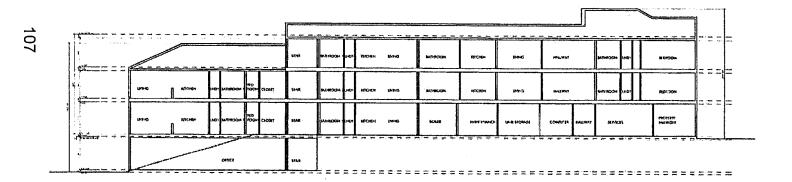






BUILDING 1 SECTION A-A

BUILDING 2 SECTION B-B



BUILDING 3 SECTION C-C

PIPPIN APARTMENTS

ATKINSON LANE, WATSONVILLE, CA
MIDPEN PENINSULA THE FARM, INC.

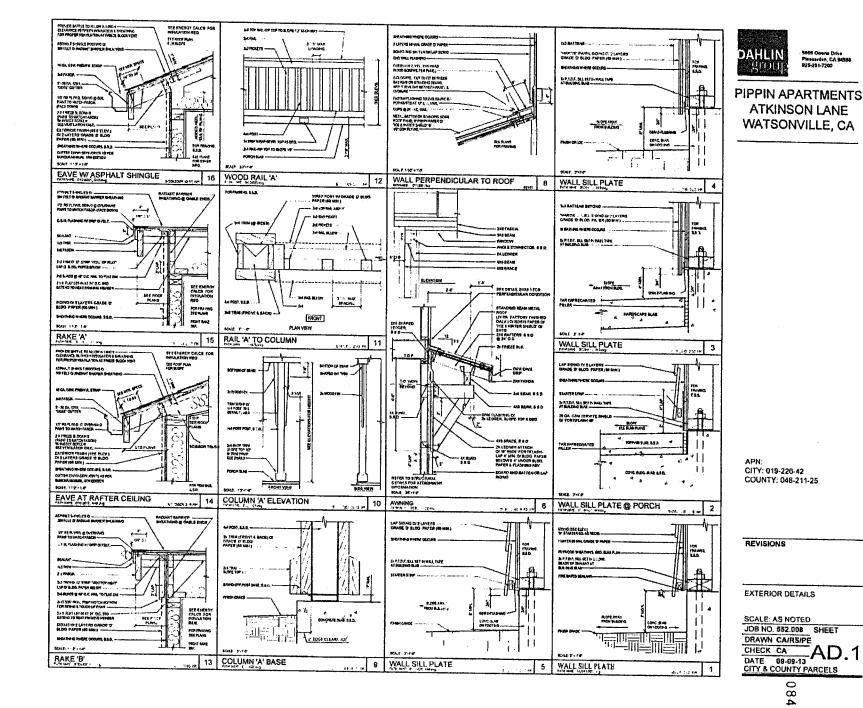
BUILDING SECTIONS

APN: CITY: 019-226-42 COUNTY: 048-211-25

🛆 2nd Submittal 2-8-14 __ 3rd Submittal 4-1-14



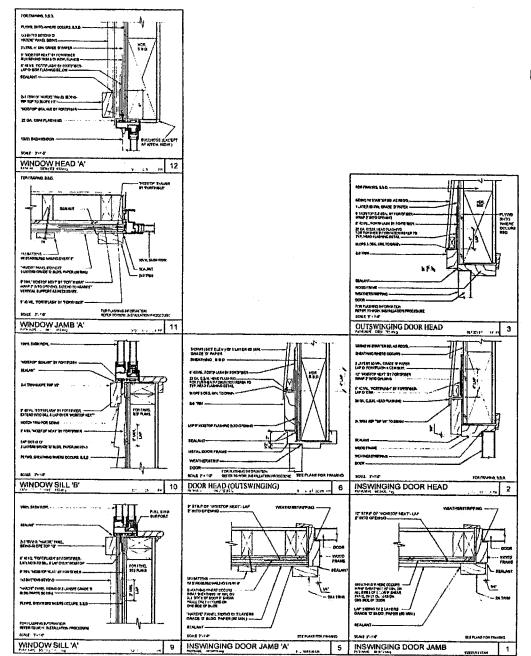
JOB NO. 552.008 DATE 4-14-14 CITY & COUNTY A5.1



3889 Owens Drive

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PIPPIN APARTMENTS ATKINSON LANE WATSONVILLE, CA

APN: CITY: 019-226-42 COUNTY: 048-211-25

REVISIONS

EXTERIOR DETAILS

JOB NO. 552.008 SHEET
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CHECK CA
DATE 09-09-13
CITY & COUNTY PARCELS

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3. ALL WORK SHALL CONFORM WITH THE CITY OF MATSONNALE PURIC OPPONENCY STANDARDS, DATED MAY ZE, 2013 AND THE COUNTY OF SANTA CALL DESIGN CRITERIA AND SPECIFICATIONS.

4. WIDT RETURNIZO, STANDANO SPECIFICARDAS SHALL REFER TO SHE ALLY 2008 STATE OF CALIFORNA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICARDAS.

S. ALL WRUTY SPROMEMENTS SHALL CONFIRM TO THE CITY OF WATSOMHALE PUBLIC SPROMEMENT STANDARDS.

4. ALL SUPPLIES EXPOSED ON EMPECTED TO SEE EXPOSED CURRING DRADING ACTIVISES SHALL SE PROPARED AND MANIFAMED THROUGH THE LENGTH OF THE ENTRY PROJECT TO PROTECT ACAMEST ENGROUP.

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15. SEE FOUNDATION FLATS FOR ANY REGULATIO FOUNDATION DRAMAGE. CONTRACTOR SHALL BE RESPONSIBLE FOR CONDECTING FOUNDATION DRAMAGE (IF ANY) TO THE PROJECT STORM DRAME STREM AT A POSTING CHARDILE.

TO THE COMPACTOR SHALL SUBJET A WASTIC CONTROL AND PEDESTRAN DESCUR PLAN TO THE CITY PURKET CONTEN FOR APPROVAL PROF TO RECOMMEN ANY BOOK WINNI THE CITY'S ROOK-OF-WAY.

17. CONTRACTOR IS RESPONSIBLE FOR ALL REMOVAL, DEMOLSON, AND DISPOSAL OF ALL EXISTING IMPROVEMENTS REQUIRED TO CONSTRUCT INC.

19. SEPARATE ON/OFF BITE PERSOTS ARE REQUIRED FOR WORK OF THE PUBLIC MONT-OF-WAY

20. HE PROJECT APPLICANT SHALL EXECUTE AN ACREMENT WITH THE STY IN THE STANCARD FORM PROVIDED FOR THE MANIFOLNINE, MO MONTORMO AND REPORTING OF THOSE ACTIVITIES TO THE CITY OF WATERWALL STORM DRAW STYTEM BEST

21. THE PROJECT SHALL HAVE A CITY MASTER WATER METER FOR THE BONESTIC SERVICES MITH A SEPARATE SUBMETER FOR

22. ELECTRIC AND COMMUNICATIONS SERVICES TO NEW BUILDINGS SHALL BE CONSTRUCTED UNDERGROUND. AEMAL SCHICCES ARE
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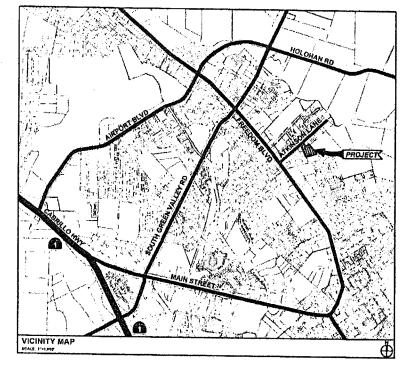
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PIPPIN LANE APARTMENTS ATKINSON LANE, WATSONVILLE, CA MIDPEN PENINSULA THE FARM, INC.

ANTIBACONSTRUCTION





WHITSON ENGINEERS 9599 Blue Larkspur Lane Suits 105 :: Monterey, CA 93940 831 648-5225 Fax 831 373-5068 CIVIL ENGREERING . LAND SURVEYING .: PROJECT MANAGEMENT

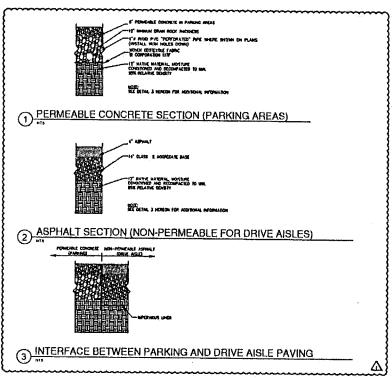


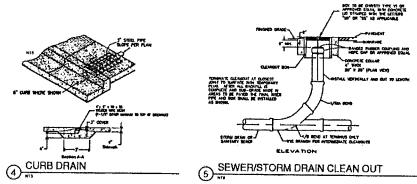
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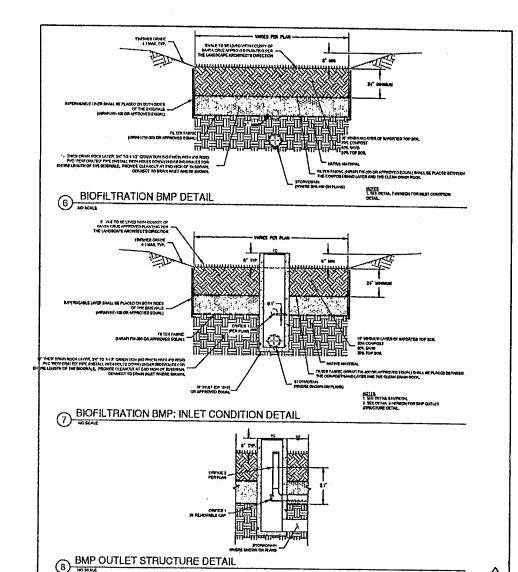




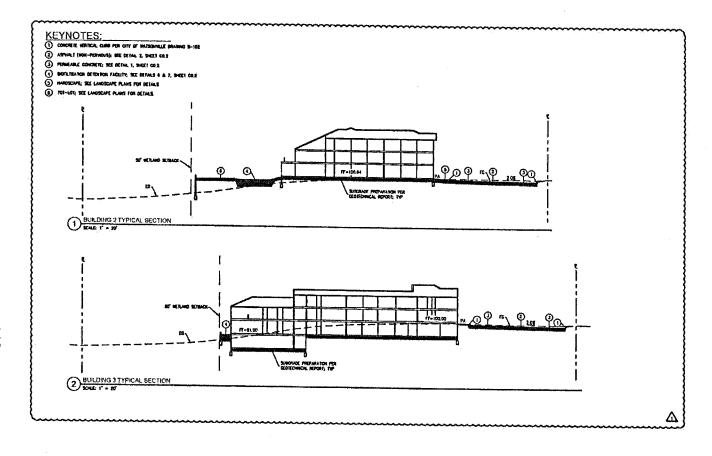




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ATKINSON LANE, WATSONVILLE, CA-MIDPEN PENINSULA THE FARM, INC.









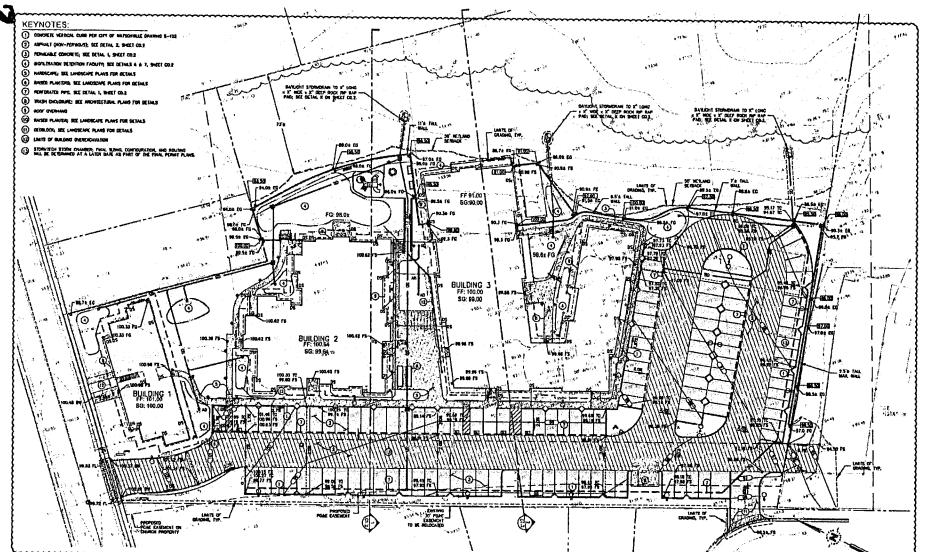


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PIPPIN LANE APARTMENTS

ATKINSON LANE, WATSONVILLE, CA MIDPEN PENINSULA THE FARM, INC. g and for covering a





WHITSON ENGINEERS
9699 Blue Lerkspur Larne Sulte 105 - Monterey, CA 93940
931 549-9225 Fax 831 373-5063



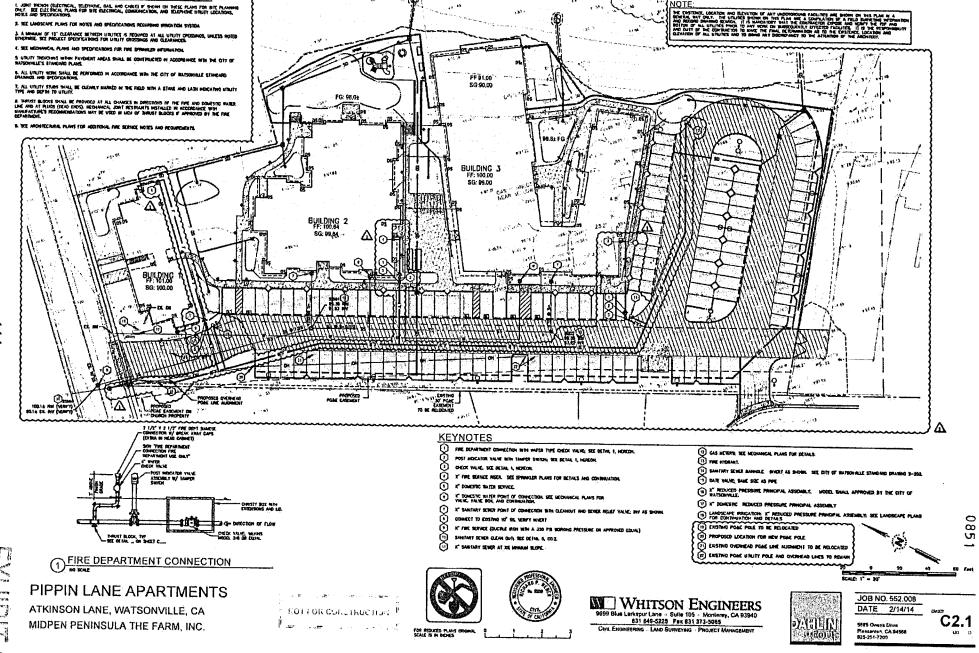
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DATE 2/14/14

895 Owers Duve
Parasindon, CA PMS68
925-251-7200

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UTILITY NOTES







TROSION CONTROL NOTES

1. Driefe Medich Housec Componation 375 Mark Street, STC 204 MATSCHVILE, CA 93076 (831) 707-2143

2. DVL ENGINEER
BHISDH ENGALDES
2425 FORTER SHREET, SLATE 2
5000EL, CALFUPPEA 95073
[B33] 848-5225
FAX (B31) 373-5085

3. CONSTRUCTION SUPPLINIENCES

24 HOUR PHONE HUNGER: PACEN (___) _____ SIT TRALER (___) ___-

21 HOLE PHONE HANDLE PLOCE [___]

4. THE PLAN IS MIDDLED TO BE USED FOR IMPERIU EROSON AND SEDMENT HAVEN POLICION CONTROL ORLY AND IS NOT TO BE USED FOR PINAL DEVATIONS OR PERMANENT IMPROVEMENTS.

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1. PEASONARE CARE SHALL SE TAKEN SHER HARMO MIT EARLY, SAME, GIAVAL, STORE, DEBYS, PAPER OF MIT OTHER SUBSTANCE OFFER HAT PARKE STREET, ALLY OR GRADE PARKE CHACL, SHALLO MIT BAY, PARKE RIKATE, OLD HARM PARKE COR. SHALLO OR RIKATE OLD HARM SOLD SHALLO OR SOLACIEST PROVATE, PROPERTY, SHALLOUT SHALL GOTT.

IL SANITARY FACULTES SHALL BE MANUFAMED ON THE BIEL

B. DERMO THE MARTY SEASON, ALL PAVED AMERS SHALL BE KEPT CLEAR OF EASTE MATERIAL AND DEBYS. THE SIX SHALL SE MANTHORD SO AS TO SHAPEZ SEDUCINE LADOR HARRY TO ANY STORM DELMINOS SYSTOLES, SICLIDIANS CRETING GRANAGE SHALCS AND MARTA COLUMNS.

II. CONTRACTORS SHALL PROVADE DUST CONTROL AS REQUIRED BY THE APPROPRIATE FEDERAL, BIATE, AND LOCAL ACCRICY REQUIREMENTS.

12 HYDROSCEDING SHALL BE APPLIED AS PER CALIFORNS SPECIFICATIONS. 13 MIN THE APPROVAL OF THE DRONGER, EROSON AND SEGMENT CONTROLS MATTER REMOVED AFTER MEAS ABOVE BEEN MAYE BEEN STABLISED.

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2. SAMO BAG PRET PROTECTION SHALL BE CLEMED OUT WHONEVER SEDMENT DEPTH IS ONE HALF THE HOCHT OF DUE SAMO BAG.

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1. CONSTRUCTION DEPRACES SHALL BE INSTRUCTO PROOF TO COMMENCIABLE OF GRADING. ALL CONSTRUCTOR TRAFFIC DESIRAND ONTO THE PRACET ROMO'S MAST CROSS THE STABILIZED CONTRIBUTION OF PRACETOR OF THE STABILIZED CONTRIBUTION OF PRACETOR OF THE STABILIZED CONTRIBUTION OF THE STABILIZED CO

4. Och magter shall mantam stablited entrance at Eadh verges access fort to Existing parts streets. Any had or debyes tracked onto partic streets shall be Redonto dall you as elements by the Gypt.

S. F. HYDRO SEEDING IS NOT USED ON IN NOT ETTECHNE BY OCTOBER BUILL. HICH GREES BRECONT NETWORK SHILL BE REFLEATION, SLOW AS EROSON CONTROL REARIESTS, OR A PROFESSOR APPLICATION OF 1) SEED, MAKING PERMILLOR, 2) BLOWN STRANG, 1) TANGERS AND MAKING.

6. PALET PROTECTION SHALL BY ASTALLED AT OPEN WALETS TO PROVERT SECHNEHIT FROM ENTERING THE STORM DRAW SYSTEM WALETS HIGT USED IN CONJUNCTION WITH EROSION COMPROLARY TO BE RECORDED TO PRIVATE ONLY OF SEGMENT.

7, LOIS WIN HOUSES LINGUE CONSTRUCTION WILL NOT BE HYDROSEEDED, EROSON PAR RECORDS FOR EACH LOT WIN A HOUSE LINGUE CONSTRUCTION SHALL CONFIDEN TO THE ESCALS SHOWN OF WAS SHEET.

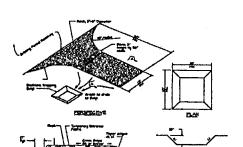
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- ACTIVITIES.

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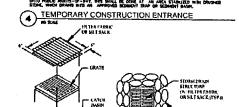
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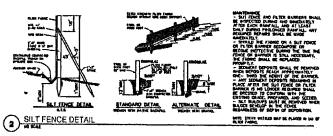
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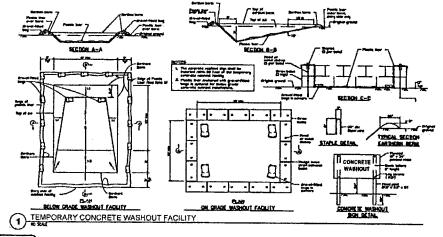
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INLET W/ FABRIC DETAIL TO BE INSTALLED POST-PAVING

	MAINTENANCE	MEASURES
CONTROLS:	INSPECTION FREQUENCY:	MAINTENANCE/REPAIR WEASURES
Stabilized Construction Entrance	Monthly and Alter Each Reinfall	Replace grand materials when rolds are present. Remains as seament deposited on all payed readvage sittin 24 hours. Remains grand at completion of construction.
SIL Fencing	Nestly and Alter Each Rolly	Repair whenever force is developed Remove seasonant when it receive 1/3 the height of the force expected; if heavy rains are expected.
Storm Droin Inlet Prefection	Westly and after each rain	Reptace clagged filter folicit immediately. Remove sediment when the depth exceeds 2/3 the height of the filter







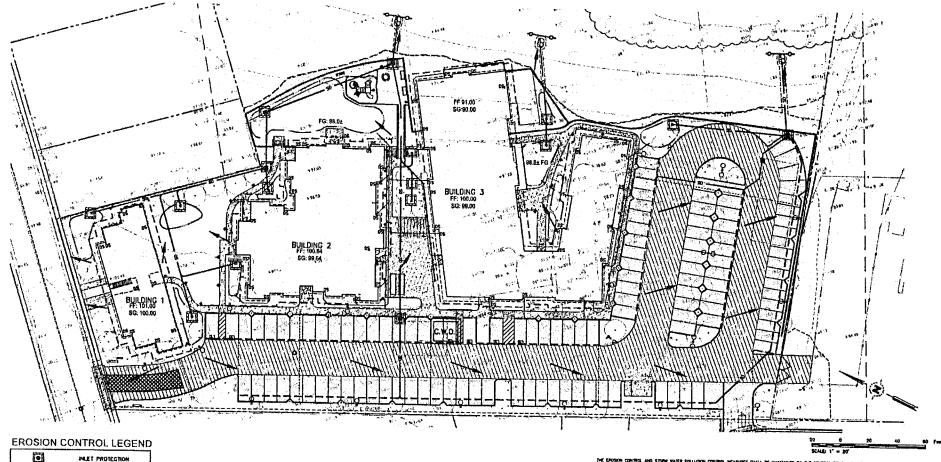
WHITSON ENGINEERS 9699 Blue Larkspur Lune - Suite 105 - Monterey, CA 93940 831 649-5225 Fax 831 373-5865 CIVIL ENGINEERING .. LAND SURVEYING .. PROJECT MANAGEMENT



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PIPPIN LANE APARTMENTS

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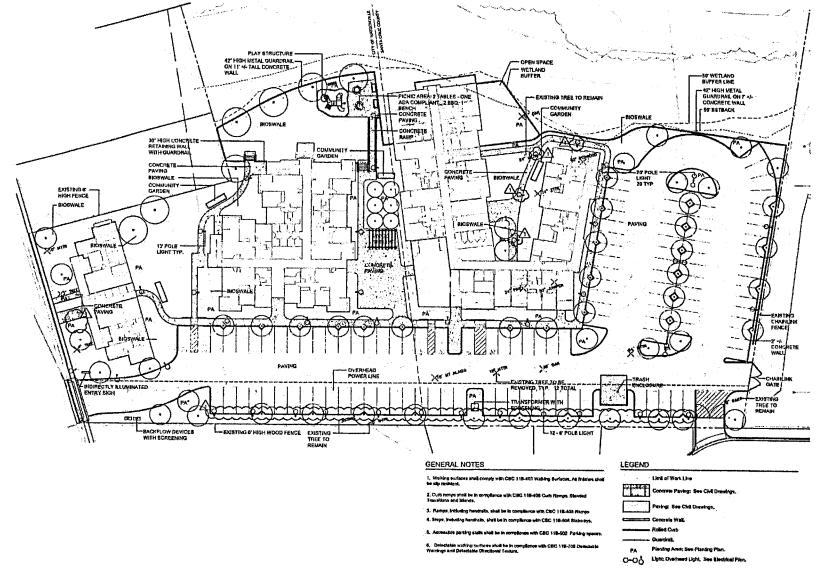


WHITSON ENGINEERS
9699 Blue Larkspur Lane ... Suite 105 - Monterey, CA 93940
831 649-5225 Fee 831 373-5965



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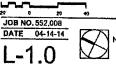


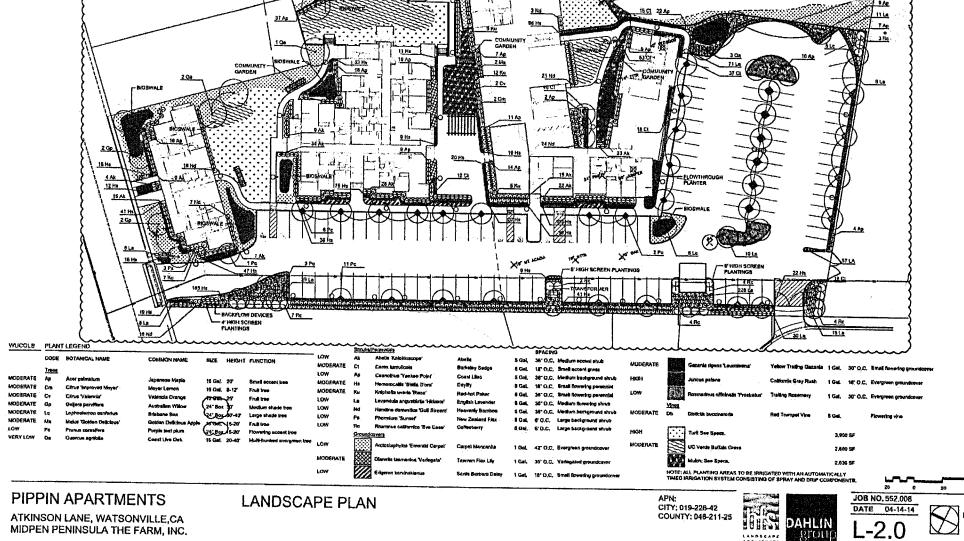
ATKINSON LANE, WATSONVILLE, CA MIDPEN PENINSULA THE FARM, INC.

CONSTRUCTION PLAN

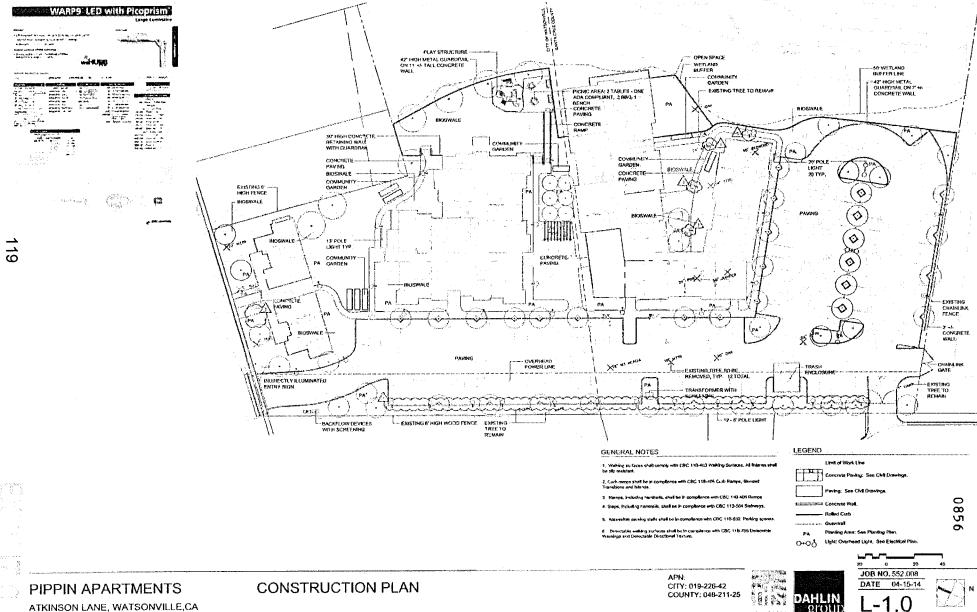
APN: CITY: 019-226-42 COUNTY: 048-211-25



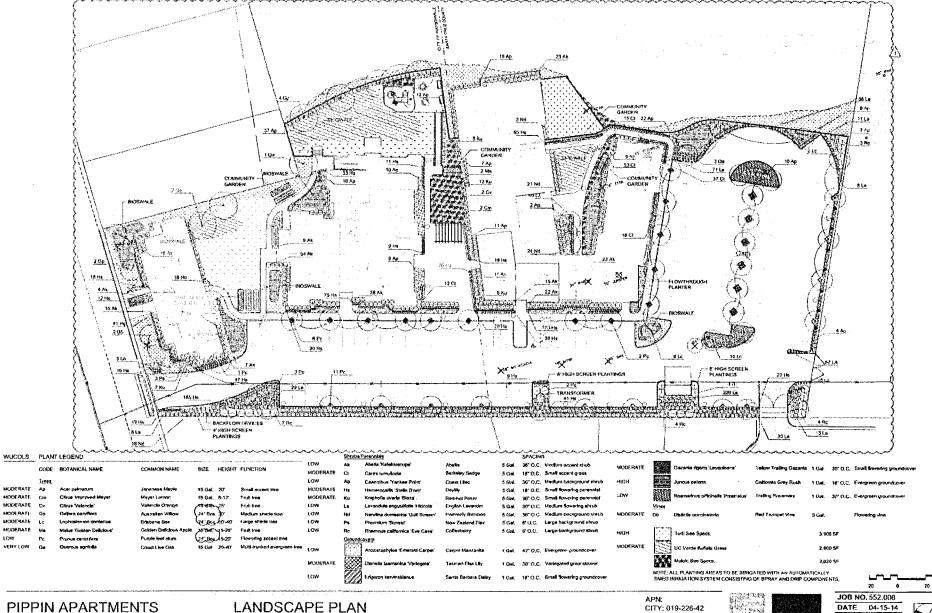








ATKINSON LANE, WATSONVILLE, CA MIDPEN PENINSULA THE FARM, INC.



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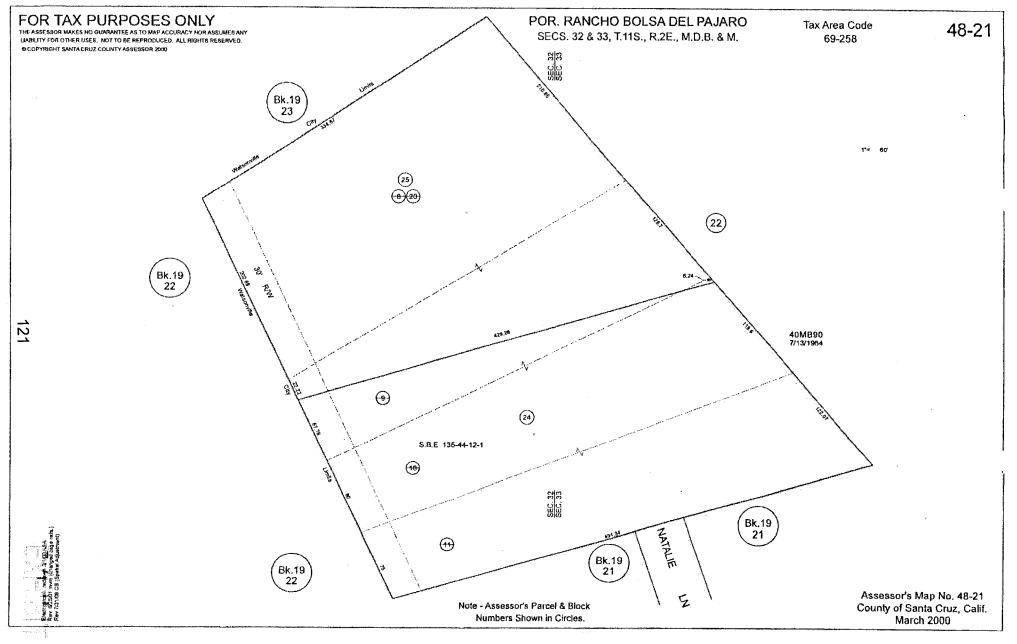
COUNTY: 048-211-25







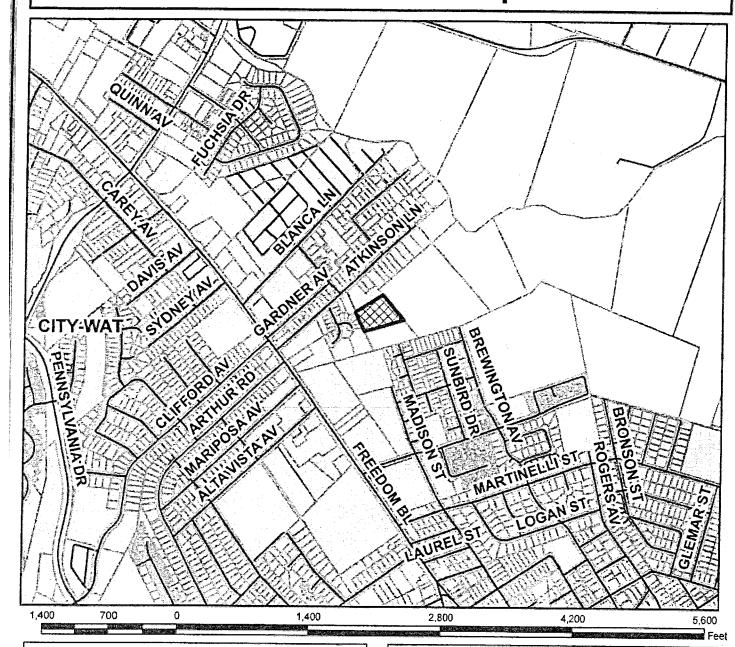






Location Map

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LEGEND

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APN: 048-211-25

Assessors Parcels

WATSONVILLE

Streets

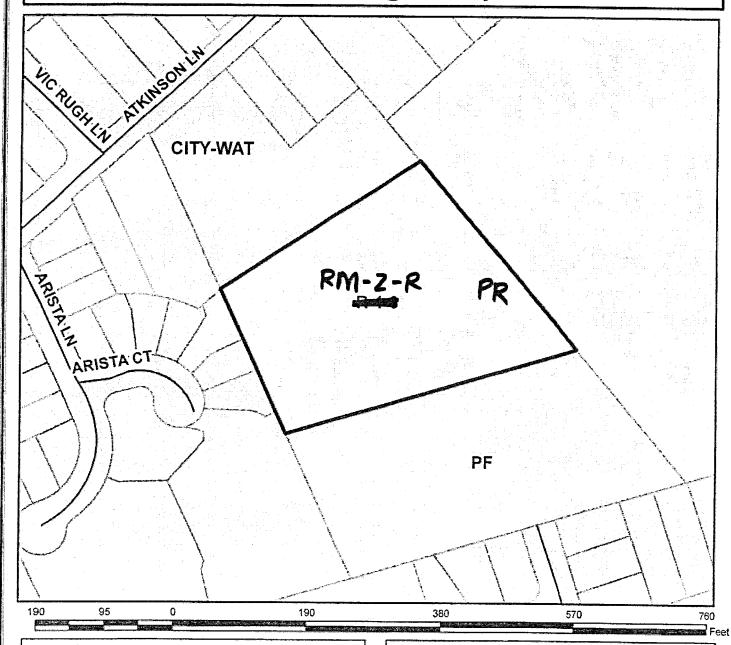


Map Created by County of Santa Cruz Planning Department October 2013



Zoning Map

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APN: 048-211-25

Assessors Parcels

Streets

WATSONVILLE

RESIDENTIAL-SINGLE FAMILY

PUBLIC FACILITY

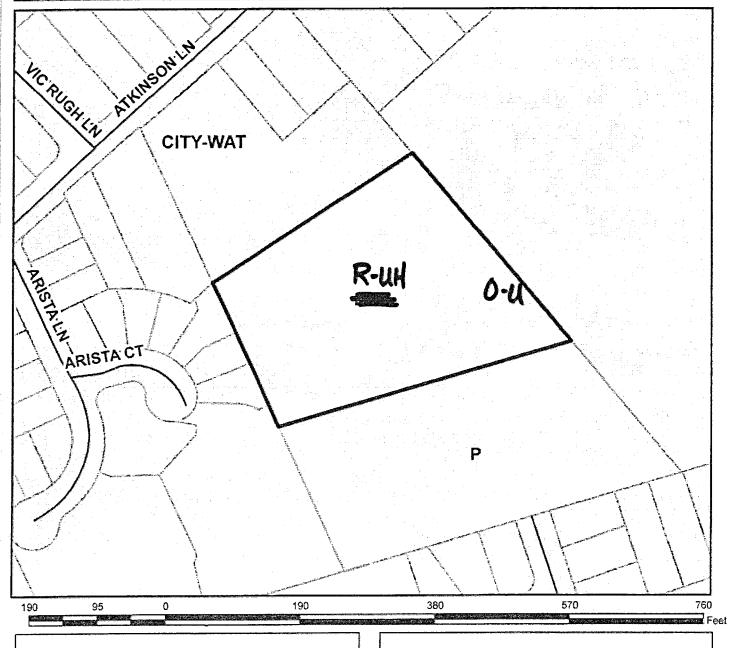


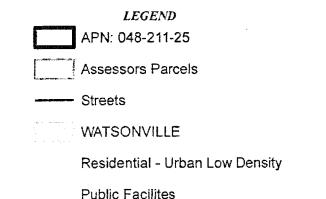
Map Created by County of Santa Cruz Planning Department October 2013



General Plan Designation Map

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Map Created by County of Santa Cruz Planning Department October 2013

0862

ORDINANCE AMENDING A PLANNED UNIT DEVELOPMENT AS ALLOWED BY SANTA CRUZ COUNTY CODE RELATING TO ESTABLISHMENT OF DEVELOPMENT STANDARDS FOR APNS: 048-211-25, 048-221-09

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

A Planned Unit Development is hereby granted to the property located between Atkinson Lane and Brewington Avenue, in the Pajaro Valley Planning Area, also known as the Atkinson Lane Housing Site, and shown on Exhibit A attached hereto and subject to the conditions shown on Exhibit B, attached hereto.

SECTION II

The Board of Supervisors hereby adopts the recommendations of the Planning Commission for the Planned Unit Development as described in Section I, and adopts their findings in support thereof without modification as set forth below:

- 1. That the proposed location of the uses are in accordance with the objectives of the County Code and the purposes of the district in which the site is located.
- 2. That the proposed location of the Planned Unit Development and the conditions under which it would be operated or maintained will not be detrimental to the public's health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
- 3. That the proposed Planned Unit Development will comply with each of the applicable provisions of Chapter 18.10 of the County Code.
- 4. That the standards of dwelling unit density, site area and dimensions, site coverage, yard spaces, heights of structures, distances between off-street loading facilities and landscaped areas will produce a development that is compatible with and integrated into the surrounding built and natural environment consistent with the objectives of the County Code.
- 5. That the standards of dwelling unit density, site coverage, yard spaces, heights of structures, distances between structures, off-street parking, and off-street loading facilities will be such that the development will not generate more traffic than the streets in the vicinity can carry and will not overload utilities.
- 6. That the combination of different dwelling and/or structure types and the variety of land uses in the development will complement each other and will harmonize with existing and proposed land uses, structures, and the natural environment in the vicinity.
- 7. That the degree of departure from the required development and density standards is roughly proportional to the benefits provided to the neighborhood and/or the community in which the Planned Unit Development is located.
- 8. That the proposed development is consistent with the General Plan/Local Coastal Program Land Use Plan.





SECTION III

The Board of Supervisors hereby adopts the recommendations of the Planning Commission for the Development Permit as described in Section I, and adopts their findings in support thereof without modification as set forth below:

- 1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.
- 2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.
- 3. That the proposed use is consistent with all elements of the County General Plan and with any Specific Plan which has been adopted for the area.
- 4. That the proposed use will not overload utilities, and will not generate more than the acceptable level of traffic on the streets in the vicinity.
- 5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.
- 6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

SECTION IV

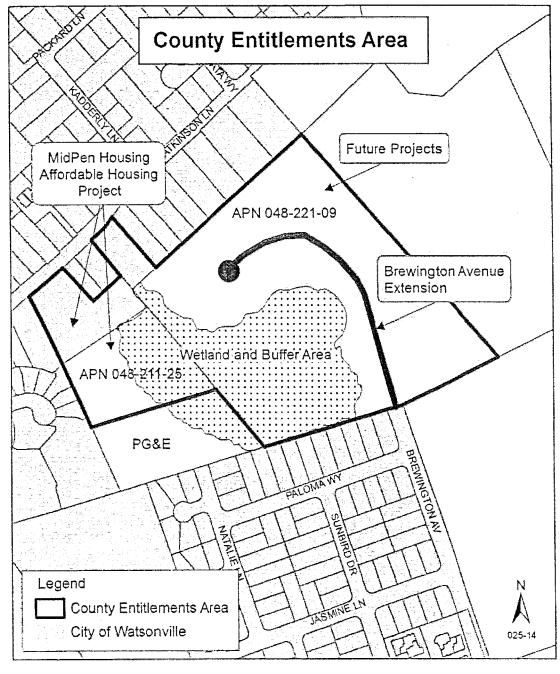
This ordinanc	e shall become	e effective 31 days after	er adoption.
		this day of e following vote:	2009 by the Board of Supervisors of the
		SUPERVISORS SUPERVISORS SUPERVISORS SUPERVISORS	Chairman of the Doord of Suraniana
Attest: Clerk of the Board APPROVED AS TO FORM:			
County Couns	sel	aan an marken oo oo ah	

EXHIBIT A

Planned Unit Development Conditions of Approval

Property located between Atkinson Lane and Brewington Avenue, in the Pajaro Valley Planning Area.

APNs: 048-211-25, 048-221-09



Planned Unit Development Conditions of Approval

Property located between Atkinson Lane and Brewington Avenue, in the Pajaro Valley Planning Area.

APNs: 048-211-25, 048-221-09

This 16.8 acre site contains 10.0 useable (developable) acres, 1.3 acres on APN 048-211-25 and 8.7 acres on APN 048-221-09, equating to a total <u>development potential on county parcels</u> of 200 dwelling units, 26 on APN 048-211-25 and 174 on APN 048-221-09; of these, 30 total affordable units are required under County Code Section 17.10.030(b)(1), 3 <u>units</u> plus an in-lieu fee for 0.9 of a unit on APN 048-211-25, and 26 <u>units</u> plus an in-lieu fee for 0.1 of a unit on APN 048-221-09, and 51 total affordable units are required under County Code Section 17.10.030(b)(6), 7 on APN 048-211-25 and 44 on APN 048-221-09. Development of this site is by-right in that the use and density for the site are not discretionary. A Level VII design review hearing is required.

The EIR evaluating this PUD also evaluates adjacent land area for development by the City of Watsonville. This PUD addresses only two cited parcels above, and the County will not be responsible for the remainder of the development plan discussed in the EIR.

The term "County Entitlements" is introduced in the Settlement Agreement that the Santa Cruz County Farm Bureau, the County of Santa Cruz, and the City of Watsonville entered into on 2/14/2011 and refers to the County's actions on June 9, 2009 related to this project. The "County Entitlements Area" evaluated by the 2009 EIR and its 2014 Addendum also includes APNs 019-226-42 (MidPen parcel) and 019-236-01 (Lamb parcel) located within the City of Watsonville, which are considered to have a development potential of an additional 20 units that the Settlement Agreement allows to be considered for approval by the City of Watsonville.

I) General Site Standards

- A) All requirements and standards contained in Section 13.10.475 through 13.10.478 of the County Code (Regional Housing Needs "R" Combining District) shall be applicable unless expressly modified by the conditions of this Planned Unit Development (PUD).
- B) <u>Development Standards</u>. The following development standards supersede the development standards in the County Code. Unless specifically defined below, developments must meet all required development standards in the County Code at the time the Design Review application is deemed complete. All of the site standards contained within Chapter 13.10 shall be applicable unless modified by this Planned Unit Development.
 - 1) Circulation and Parking Requirements
 - (a) Parking requirements.
 - (i) 1.5 spaces per studio or one-bedroom unit;
 - (ii) 2.0 spaces for two-bedroom unit;

Atkinson PUD

- (iii) 2.5 spaces for three-bedroom unit; and
- (iv) 3.0 spaces per four-bedroom unit.

- (v) An additional 20% of the total number of parking spaces to accommodate guest parking.
- (vi) The Board of Supervisors, as part of the Design Review Permit, may consider a reduction to the required on-site parking standard above. Any request shall include an on-site parking management plan prepared by a traffic engineer.
- (vii) The maximum number of required parking spaces that may be compact in size shall be as specified in County Code Section 13.10.553 (e) or its successor ordinance.
- (viii) The standards for off-street parking facilities as outlined in County Code Section 13.10.554 at the time of application is deemed complete shall apply.
- (b) <u>Circulation Requirements.</u> Primary access through the PUD area will be provided via a collector street that will extend north from Brewington Avenue to be constructed by the <u>first</u> developer of APN 048-221-09 (<u>Lamb parcel in County</u>) the <u>Phase I Development Area</u>. An emergency-only access road through APN 019-236-01 (<u>Lamb parcel in City</u>) will serve <u>future both the Phase I and Phase 2 D development Areas</u> on APN 048-221-09. This emergency access road shall not be used for primary access to the project site and shall only be used for secondary access if the extension of Brewington Avenue up to and including the roundabout is completed through a development project. An access road from Atkinson Lane along the existing vehicular easement leading to the PG&E site will provide access to APN 048-211-25.
- (c) Roadway Design. The following standards shall apply to roadways on the project site:
 - (i) Right-of-Way Width:
 - 32 feet for access to APN 048-211-25: two 12-foot travel lanes and an 8-foot parking shoulder on east side only,
 - 52 feet for Brewington Avenue extension (Collector Street): from east to west, 6-foot sidewalk, 8-foot parking shoulder, 4-foot bike lane, two 12-foot travel lanes, 4-foot bike lane, and 6-foot sidewalk. (eastern sidewalk, parking lane, and bike lane, to be constructed only after removal of the interim agricultural buffer)
 - 20 feet for two-way interior driveways,
 - 12 feet for one-way driveways, and
 - 20 feet for the temporary emergency-only access through APN 019-236-01 to APN 048-221-09
 - (ii) Improvements: Where possible, pedestrian improvements shall connect with existing infrastructure in the surrounding neighborhoods.
- (d) <u>Bicycle Storage</u>. A minimum of one lockable storage space for bicycle storage shall be provided for each dwelling unit. This lockable storage space may be located within a larger exterior storage area provided for the unit, or in a garage.





(e) <u>Accessibility</u>. Developments must meet accessibility requirements of Title 24 of the Building Code or successor code in effect at the time the Building Permit application is submitted.

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(i) Accessible parking shall be provided consistent with California State Law. This applies to the design and location of parking spaces, number of accessible spaces provided, and accessible path of travel through the development and to the public right-of-way.

2) Requirements for Structures

- (a) <u>Number of Stories</u>. A maximum of three (3) stories as defined by the County Code exclusive of subsurface parking is allowed.
 - (i) Three stories are allowed except in areas restricted to a two-story maximum, as delineated in Section I.B.2.a(ii) below, in order to provide a logical transition between existing neighborhoods and higher density development.
 - (ii) To reduce bulk and mass, efforts shall be made to provide articulation and architectural features and to provide a transition from the adjacent properties. This transition shall be achieved by the following:
 - Restricting buildings to 28 feet and two stories in height adjacent to existing homes located along Atkinson Lane. See Section I.B.3.b for further detail.
 - Requiring buildings facing public roads to incorporate features such as stepback heights, articulation, variations in finishes, glazing, building separation and varied roof heights.
- (b) <u>Height.</u> Height of three-story structures may be up to 37 feet, exclusive of sub-surface parking, and the height of two-story structures may be up to 28 feet, exclusive of subsurface parking. Height will be measured in accordance with the provisions of County Code Section 13.10.477.
 - (i) For any structure proposed to be within 2 feet of the maximum height limit, the building plans shall include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site, that clearly depict the total height of the proposed structure above preconstruction natural grade and finished grade.

3) Site Standards

- (a) Lot Coverage and Floor Area Ratio. Lot Coverage Site Standards and Floor Area Ratio Site Standards specified in County Code Section 13.10.323 (b) do not apply.
- (b) <u>Setbacks</u>. The following setbacks are established from the perimeter of the subject property, as shown on Exhibit A, to the structures in aggregate and are as follows:
 - (i) APN 048-211-25, located west of wetlands
 - North: 3 feet if developed in conjunction with adjacent City parcel, otherwise 10 feet.

• West: 5 feet from 32-foot wide access roadway, located along the

existing vehicular easement

• East: outside 50-foot wetland buffer

• South: 10 feet

(ii) APN 048-221-09, located north and east of the wetlands

• Phase I Development Area:

- 1. North: 15 feet for 2 story structures, 20 feet for 3 story structures
- 2. West: outside 50' wetland buffer
- 3. East: outside interim 200' agricultural buffer or 3 feet if developed in conjunction with the adjacent City parcel.
- 4. South: outside 50' wetland buffer and not less than 15 feet from the property line.
- Phase 2 Development Area:
 - 1. North: 15 feet for 2 story structures, 20 feet for 3 story structures
 - 2. West: outside 50' wetland buffer
 - 3. East: 3 feet if developed in conjunction with adjacent City parcel, otherwise 10 feet
 - 4. South: 15 feet
- (iii) For projects involving a Tentative Map, the interior setbacks and lot size shall be established through the Design Review process and are not subject to obtaining a Residential Development Permit under County Code Section 13.10.323(d)(1)(A) or its successor ordinance.
- (c) Wetland Area. A Riparian Exception approving a buffer of 50 feet from the edge of the delineated wetland area on the property is included with the adoption of this PUD. Inside this buffer limited activities will be permitted, including placement of interpretive signage at the perimeter of the buffer. and the execution of ecological restoration activities including the removal of exotic plant species and establishment of native species. No lighting will be placed within the riparian buffer.
 - (i) Resteration of the wetland and the removal of non-native species from the pond area and buffer is required. A comprehensive management plan/wetland protection program shall be submitted to the County Planning Department for review and approval concurrent with the Level VII Design Review Permit application, and should be developed in conjunction with the Habitat Enhancement Plan detailed in Section IX.C. MM3.4-3b_3g if such a plan is required.
 - (ii) A Riparian Exception is granted by this PUD for the encroachment, installation, and maintenance of drainage outlets and energy dissipaters into the 50 foot buffer area, and interpretative signage under the following conditions:
 - No disturbance is allowed within below the ordinary high-water mark of the mapped wetland, other than restoration activities required by Section IX of this PUD.

- Prior to issuance of the building permit for the first permanent structure, drainage plans complying with the requirements of this PUD, particularly those related to runoff-reduction and Low Impact Design guidelines, shall be reviewed and approved by both DPW Drainage and Environmental Planning.
- Prior to issuance of the building permit for the first permanent structure, the
 applicant shall provide the County with a copy of the California Department
 of Fish and Game (CDFG) Wildlife (CDFW) 1602 Streambed Alteration
 Agreement, or a statement from the CDFG CDFW that no permit is required
 for the restoration and drainage improvement construction activities to occur
 within the wetland or wetland buffer area.
- (d) Stormwater Management. Consistent with Section IX.G. 3.8 MM 3.8-1a and MM 3.8-1b, development in the PUD area within the County Entitlements Area will utilize the wetland for stormwater retention and the developer or developers shall be responsible for providing a detailed final drainage plan and analysis demonstrating maintenance of the predevelopment 2-year, 2-hour release rate and storage as well as the 5-year predevelopment release rate while providing storage volume for the post development 25-year storm, and retaining existing functions of storage, filtration, infiltration and evaporation of stormwater. Phase I shall be responsible for the construction of a temporary detention basin, located in the Phase 2 Development Area, to mitigate the increase of stormwater runoff from the PUD area. The temporary detention basin shall be sized appropriately to accommodate run-off generated of Phase 1 of the PUD area. The Developer of the Phase 2 Development Area shall be responsible for the design and construction of a drainage system sufficient to limit run off to predevelopment levels for a range of storm events up to the 25 year storm event. The application of appropriate erosion control measures at this location shall be required.
 - (i) Final drainage plans shall include information regarding detailed hydrologic modeling; existing facilities; soil and topographic data; erosion control and best management practices (BMPs); descriptions of proposed flood control facilities; Low Impact Development (LID) techniques; compliance with waste discharge requirements; phasing and implementation; identification of the entity that is responsible for facility design and construction; Clean Water Program compliance; and facility maintenance to ensure for long term vegetation maintenance and access.
 - (ii) Low Impact Design (LID) techniques that maximize infiltration, minimize runoff volumes and rates, and minimize pollutant loadings, shall be incorporated into the project design. Such practices would include:
 - Providing on-site treatment for low-flow storm events
 - Enhancing treatment of off-site flows
 - Providing vegetated swales for water quality treatment
 - Designing for large event flood control
 - Incorporating landscape features that enhance water quality; and
 - Limiting the post-development runoff rate and volume to the predevelopment runoff rate and volume, to the maximum extent possible.

- (e) Open Space. The open space requirements specified in County Code Section 13.10.323 e(6)F shall not apply. Instead, the developer will be required to provide a minimum of 50 square feet of private open space per unit, and a minimum of 150 square feet of common open space per unit. Common open space may consist of active or passive recreation space, designed with both children and adults in mind.
 - (i) The Design Review process shall determine the final configuration and location of open space on-site, with special consideration for the opportunity to incorporate passive open space adjacent to the wetland area and active areas that are safe and observable from adjacent housing units.
- (f) <u>Signs.</u> Any signs shall comply with Section 13.10.580 or any successor ordinance and the location and design shall be reviewed and approved as part of the Design Review process. The following signs are allowed:
 - (i) A non-illuminated temporary sign pertaining to the sale, lease or rental of a dwelling and limited to six square feet in size or less.
 - (ii) A permanent identification sign, in-directly illuminated, of 12 square feet or less.
- (g) <u>Site Planning.</u> The following guidelines shall be used in evaluating a development proposal during the Level VII Design Review Permit process.
 - (i) Where natural features exist, such as wetlands and drainages, open spaces should be preserved and used to frame and define residential areas.
 - (ii) Grading should limit the visual distinction between graded and adjacent natural landforms and be contoured to blend into adjacent open spaces.
 - (iii) Varied building heights are encouraged, both to provide visual interest and give the appearance of a collection of smaller structures. Building heights at the edge of the subdivision should be considered within the context of the project's surroundings, the adjacent uses, and should create a transition from the heights of adjacent existing residential development rather than form abrupt height changes. Section I.B.2.a(ii) addresses this concept in further detail.
 - (iv) Arrange unit types to provide a logical transition between existing neighborhoods and higher density portions and provide complete consistent streetscapes along existing street frontages.
 - (v) Orient buildings and associated improvements to minimize noise, light, glare, and other visual impacts to adjacent residential neighborhoods.
 - (vi) Use buildings, landscaping, contrasting paving, and site design to frame neighborhood gateways and define common open spaces.
 - (vii) Utilize permeable materials for walkways, driveways, alleys, and patios where possible and locate impervious areas to drain into bioswales or other stormwater detention features.
 - (viii) Incorporate Best Management Practices (BMPs) for bioretention systems.
 - (ix) Site orientation and building design should consider the use of alternative energy sources and passive solar design concepts.

- (x) The siting of multi-family buildings should consider the existing neighborhood context. Where buildings are not configured around courtyards, gathering areas, and open spaces, they should be oriented parallel to the public street or the internal streets, with some setback variation to provide visual relief.
- (xi) Public, communal, and private spaces should be clearly distinguishable.
- (xii) Ground floor units should have direct access from streets and common spaces.
- (xiii) Entry drives should be designed to create a positive identity for the project. Landscape and site design should frame and distinguish entry drives.
- (xiv) Parking should be unobtrusive and not disrupt the quality of common spaces and pedestrian environments. It should be distributed throughout the site in discrete courts and shall be screened by landscaping or buildings.
- (xv) Services should not be visible from public areas. Trash bins, utility meters, transformers, and other service elements should be enclosed or otherwise concealed from view.
- (xvi) Common open space should be centrally located, have a physical and visible connection to public open space, and connected to each project's internal pedestrian system.
- (xvii) Common spaces should incorporate play equipment for children and adults that are sized to accommodate the anticipated level of use and located such that they are safe and observable from adjacent areas. Additionally, a properly sized community garden site shall be provided.
- (xviii) The construction of road and/or utility stub outs that can be easily used for future development on APN's 048-231-01. 048-231-17. 048-231-18 (portion of), and 048-251-09 and which are not part of the project authorized by the County Entitlements or that would give credence to any argument that development of the Specific Plan Area was envisioned by and should be considered as part of the project authorized by the County Entitlements, shall be prohibited as part of any county-approved entitlements that use the 2009 EIR and its 2014 Addendum. All utility connections and road access are independent of the Watsonville Specific Plan Area and the County shall not take any action with respect to development in the County Entitlements Area that would necessitate or encourage the development of a Wagner Avenue Extension.
 - The above paragraph shall not apply to use of APN 019-236-01 for secondary access purposes. APN 019-236-01 shall not be used for primary access to the project(s) authorized to occur within the County Entitlements Area consistent with the EIR and its Addendum, and shall only be used for secondary access if the project(s) authorized by the County entitlements completes the proposed extension of Brewington Avenue up to and including the roundabout depicted within the County Entitlements Area.
- (h) <u>Architectural and Building Design Standards.</u> The following guidelines shall be used in evaluating a development proposal during the Level VII Design Review Permit process.



- (i) The requirements of Chapter 13.10 relating to distance between structures shall not apply.
- (ii) Provide a variety of architectural styles using high quality architectural materials.
- (iii) All facades, including side and rear elevations, should have the same vocabulary of forms, details, and materials.
- (iv) Create visual interest through the use of articulated facades, forms, and color, but maintain consistent architectural style and details on both the exposed facades of corner lots. Break up large wall and roof surfaces using three dimensional elements on facades, such as chimneys, balconies, bay windows or dormers.
- (v) Incorporate energy-efficient building siting standards and materials.
- (vi) Building forms should be articulated by varying roof heights and wall planes.

 Long, unbroken volumes and large, unarticulated walls and planes shall not be permitted.
- (vii) Roof forms should cover the entire width and depth of buildings. Superficial roof forms (such as mansards affixed to the building) or false fronts, facades and parapets, shall not be allowed.
- (viii) Flat roofs are strongly discouraged.
- (ix) Individual entries should have a strong relationship with a fronting street, internal walkway, or courtyard, as appropriate to the overall siting concept. A transitional area from the public space or walkway to the private dwelling unit entry, such as a porch, steps, or landscape walkway, should be provided.
- (x) Each dwelling unit's entry should be differentiated through architectural elements such as porches, stoops, or roof canopies, and detailing. Opportunities should be provided for residents to personalize their entry by providing ground level space or wide ledge for potted plants.
- (xi) Stairways, fences, trash enclosures, and other accessory elements shall be designed as integral parts of the architecture. Manufactured components attached to the outside of buildings, such as stairways and shed, shall be prohibited.
- (xii) On-site mechanical equipment visible from buildings or a public street should be screened.
- (i) <u>Materials and Color.</u> The following guidelines shall be used in evaluating a development proposal during the Level VII Design Review Permit process.
 - (i) Architectural design within each residential subdivision should use a palette of materials that convey an image of quality and durability.
 - (ii) Color should be used as an important design element and should be natural or muted tones. Appropriate use of more than one predominant paint color is encouraged. Compatible accent colors are encouraged to enhance important building elements.
 - (iii) Painted surfaces should use colors that reinforce architectural concepts and are compatible with natural materials such as brick or stone.

(iv) Structures designed with obvious references to styles or periods should be consistent with that style or period.

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- (j) <u>Landscaping Standards</u>. The following guidelines shall be used in evaluating a development proposal during the Level VII Design Review Permit process.
 - (i) All developable site areas not covered by structures, walkways, driveways or parking spaces shall be landscaped.
 - (ii) Use specimen trees and accent plant materials at major focal points, such as entries or where major walkways intersect with common open space areas.
 - (iii) Landscaping should support the distinction and transition between private, common and public spaces.
 - (iv) Design landscaping that is permanent with automated irrigation. Water-intensive plants, such as lawns and flowering exotics, should be used sparingly as accents.
 - (v) Use drought tolerant, native landscaping and drip irrigation is encouraged in common area landscaping.
 - (vi) Vines and climbing plants on buildings, trellises, walls and fences are encouraged, both to provide an attractive appearance and to minimize graffiti.
 - (vii) Parking lots should be generously landscaped to provide shade, reduce glare and provide visual interest. Parking lots shall provide shade trees (of at least 15 gallon in size) for each four (4) spaces, and should be screened from view with architectural walls, berms or shrubs where possible.
 - (viii) Incorporate natural features and existing trees into the landscape plan to the extent practical and feasible.
- (k) <u>Lighting</u>. The following guidelines shall be used in evaluating a development proposal during the Level VII Design Review Permit process.
 - (i) Provide lighting for specific tasks (i.e., illuminating common areas, parking, driveways, paths, and entryways).
 - (ii) Lighting should be mounted on architecturally designed fixtures that are consistent throughout the subdivision and are less than 16 feet in height, and preferably lower.
 - (iii) Place and design outdoor lighting around buildings, in parking lots, and along streets to prevent excessive "spillover" glare into adjacent residential and habitat areas and minimize night sky illumination.
 - (iv) Lighting in parking areas should be arranged to prevent direct glare into adjacent dwelling units and onto neighboring uses/properties.
 - (v) Incorporate cutoffs into light fixtures to screen the view of light sources from residences.
- (1) <u>Agricultural Buffer (Interim)</u>. The following guidelines and requirements shall be used in evaluating a development proposal for the Phase-1 Development Area of APN 048-221-09.
 - (i) The interim As applicable, an Agricultural Buffer shall be shown on all plans for project(s) located on the development of the Phase 1 Development Area of

- APN 048-221-09, and indicated as non developable land. The only development activities that will be permitted in this area are those related to the construction and maintenance of the Brewington Avenue extension, described in further detail under Section 1-B-3(1), below.
- (ii) A 200 foot interim Agricultural Buffer shall be established on APN 048-221-09 consistent with County Code Section 16.50.095 with the following exceptions:
- (iii) The only development activities that will be permitted in this area are those related to the construction and maintenance of the Brewington Avenue extension, described in further detail under Section 1.B.3(I), below:
- (iv) Vegetative barriers or other physical barriers such as walls or fencing 6 to 8 feet tall shall be installed within the agricultural buffer area. Such barriers shall be located as close to the urban development as possible, but in no case shall they be closer than 10 feet from any new roadway or structure, in order to allow for appropriate landscaping.
 - The Brewington Avenue extension If the Brewington Avenue extension is located within the Agricultural Buffer, it shall be oriented along the western edge of the interim Agricultural Buffer to the extent that this alignment facilitates good site planning. All non-auto uses including parking, bike lanes, sidewalks or any other pedestrian use shall be limited to the western roadside only until such time as the interim Agricultural Buffer is no longer required.
 - The interim Agricultural Buffer shall not be used for public recreation, park purposes, trails, picnic areas, roads (other than Brewington Avenue Extension) or sidewalks or other similar uses that would encourage public use of the buffer area.
 - The construction and maintenance of the Brewington Avenue extension and other infrastructure needed to support the County project(s) authorized by the County Entitlements shall be permitted within the Agricultural Buffer.

II) Project Review

- A) Entitlements. All entitlements, with the exception of the building permit application review shall be processed concurrently at Level VII, subject to the processing provisions of 13.20.100, 18.10.210, 18.10.332, and 18.10.211.
- B) <u>Tentative Map.</u> If a Tentative Map approval is required, it must be included in the application. A Residential Development Permit, as required by Section 13.10.323(d)(1)(A), is not required.
 - 1) Development that includes approval of a Tentative Map is subject to the provisions of the Subdivision Map Act and Chapter 14.01. Where a Tentative Map is proposed, the public hearing shall be expanded to address findings necessary under the Subdivision Map Act. Wherever possible the environmental review performed at the time the PUD is adopted will be utilized in the processing of the Tentative Map unless the Environmental Coordinator determines that additional California Environmental Quality Act (CEQA) review is required based upon the available information.
- C) Phasing. In the event that the PUD site is developed as multiple phases, the following requirements shall apply: Phasing. The PUD area may accommodate multiple development

projects. The development area consists only of the County Entitlement Area parcels and does not include parcels that comprise a possible future City Specific Plan Area, as follows:

County Entitlements Area	Specific Plan Area	0 975
048-211-25 (MidPen County Parcel)	048-251-09	0875
048-221-09 (Lamb County Parcel)	048-231-18	
019-226-42 (MidPen City Parcel)	048-231-01	
019-236-01 (Lamb City Parcel*)	048-231-17	
* emergency access only)	019-226-43	
	019-226-44	

- 2) Phase 2, as shown on Exhibit A, shall only be built in coordination with City actions to proceed with annexation of the adjacent land to the City of Watsonville
- 1) An emergency access point off of Atkinson Lane will be required, through APN 019-236-01, for the development of APN 048-221-09. This emergency access may be abandoned at such time as Brewington Lane is connected to Atkinson Lane with the annexation and development of the adjacent parcels to the east by the City of Watsonville.
- 2) The development of APN 048-221-09 will also require the construction of the Brewington Extension roadway and the extension of the south-bound left-turn pocket at Crestview Drive/Freedom Boulevard intersection required by Section IX.K. 3.13 of this PUD
- 3) 4)The two APNs that compose this site may be developed as separate projects, and cost of on-site work related to drainage and wetland restoration shall be shared between the two parcels.
- 4) 5) APN 048-221-09 may be subdivided and developed as separate projects, providing that all requirements of the Subdivision Map Act are met, and providing that the entire parcel is master planned in a manner consistent with this PUD. The Master Plan must include, but is not limited to, elements such as roads, utilities, open space, and interior setbacks.
 - (a) Each phase of development shall be responsible for its fair share of the 40% affordable housing requirement, unless an alternative plan for the distribution of affordable units is approved at the time of the first Level VII Design Review on each of the parcels.

III) Affordability and Financing

- A) <u>Affordability Level</u>. All development proposals for these parcels are required to provide a minimum of forty (40) percent, of the total number of units as affordable, as defined by County Code Section 13.10.475.
- B) Farm worker Housing. To the greatest extent feasible, development proposals that provide affordable housing opportunities for farm workers shall be given preference on APN's 048-221-09 and 048-211-25. In an effort to maximize outside funding sources for these development projects, the County and/or its development partner(s) will pursue all available

funding opportunities, including funds from the Farm Bureau or its affiliates for farm worker housing. County staff shall confer with the Farm Bureau though its attorneys Wittwer & Parkin LLP about the Farm Bureau's available funding prior to considering an application to the County for development proposal(s) on APN's 048-221-09 and 048-211-25. Nothing in this section is intended to conflict with or supersede the goals relating to affordable housing in the PUD pursuant to the County Entitlements as stated in the MOU between the City of Watsonville and the County of Santa Cruz, dated June 12, 2007.

C) Financial Liability

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1) In the event that a developer believes that the affordable housing requirements for a project proposed for this site renders the project financially infeasible, the developer may request relief from a proportional amount of the affordability requirements. That request shall be submitted to the Planning Director with all supporting information, including the development pro forma for the project. The Planning Director shall analyze that request and make suitable recommendations to the Board of Supervisors. In the event that the Board finds that the developer has provided evidence that fulfillment of the affordable housing requirements renders the project financially infeasible, the Board shall grant an increase in the allowed unit resale price, above the price restrictions contained in Section 17.10.030(b)(1) and Chapter 17.10.030(b)(6) of the County Code, in an amount equal to that required to render the project financially feasible. In the event that such price modifications are granted, the developer shall grant the County Redevelopment Agency the option to purchase units at the revised sales price for the purpose of writing them down to suitable levels of affordability, consistent with the intent of this PUD.

D) Participation Agreement

1) Prior to Building Permit issuance or prior to filing of the Final Map, if one is required, the developer shall enter into a Certification and Participation Agreement with the County of Santa Cruz to meet the Affordable Housing Requirements specified by Chapter 17.10 of the County Code and as noted in PUD Sections III.A. and III.B. above.

E) Infrastructure

- 1) In order to provide for an equitable distribution of infrastructure costs between the City and the County, the developer shall be subject to the following conditions:
 - (a) The payment of all applicable County of Santa Cruz and City of Watsonville impact fees; as further described in a 2014 executed Atkinson Memorandum of Understanding between the County of Santa Cruz and the City of Watsonville, and as discussed in the 2014 EIR Addendum, and any additional fair share costs for required improvements identified in Section IX of this PUD
 - (b) Impact fees, with the exception of the Childeare impact fee, shall be held by the County in trust for future off-site improvements in the area.
 - (i) TIA fees shall be provided to the City to address the project's fair-share of cost for traffic improvements within the City Limits, as required by the EIR.
 - (ii) Park Impact fees shall be provided to the City provided the City completes annexation of the adjacent parcels by 2030, and commits to the construction of the extension of Crestview Park as outlined in the Atkinson Lane Specific Plan.
 - (iii) Regarding Drainage Impact fees, the Board of the Zone 7A Flood Control and Water Conservation District shall, in consultation with representatives of the

City of Watsonville, within 1 year of Level VII Design Review approval of the first project on the PUD site, develop a cost sharing method for distribution of the Drainage Impact Fees between the County and the City, in the context of potential future annexation to the City of Watsonville.

F) Financing

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- 1) The County and City shall develop a financing mechanism such as a <u>Municipal Services</u> <u>Mitigation Payment</u>, <u>PILOT</u>, CFD, CSA, or other tool to address any shortfall between tax revenues generated by the project and the cost of providing services to the area, as required by Section IX.J. <u>3.12</u> MM 3.12-1.
 - (a) If the City of Watsonville and the County of Santa Cruz have established a Community Facilities District for the PUD Area prior to final approval of a Level VII Design Review application by the County, the project applicant shall be subject to the conditions of that District.
 - (i) If the above condition is not met, the County shall, in the case of an application for the development of an affordable rental project, create a <u>Municipal Services</u> <u>Mitigation Payment requirement as a condition of approval Payment In Lieu of Taxes program</u> to meet the funding gap associated with the development.

IV) Design Review

A) Public Hearings

- 1) Development proposals shall undergo Design Review and a public hearing process limited to design issues only. No discretionary permit is required for the by-right density or use of the site. For development proposals under these by-right provisions, applicants must apply for a Level VII Design Review, which requires review at public hearing by the Planning Commission and Board of Supervisors. The Design Review Permit is valid for a maximum of three (3) years. In order for the Design Review Permit to be exercised, the building permit shall be issued within the three-year period.
 - (a) Requests for a time extension for the Design Review Permit shall be processed as a Level III permit review. The permit may be extended for one year up to five (5) times for a total permit life of eight years.

B) Development Standards

- 1) All requirements of the Site, Architectural and Landscape Design Review (Chapter 13.11) or successor ordinance in effect at the time a Design Review application is deemed complete for processing shall be applicable unless modified by this PUD.
- 2) All applicable requirements and standards of the Zoning Regulations (Title 13, Chapter 13.10) and Environmental and Resource Protection Regulations (Title 16) in effect at the time a Design Review application is deemed complete for processing shall apply unless modified by this PUD.
- 3) A geotechnical report shall be prepared for the site. Four copies of the report shall be submitted to the County for review at the time of project application and accepted prior to the application being determined complete. All requirements and recommendations of the approved report shall be incorporated into the project design. A Plan Review letter shall be submitted as part of the Design Review submittal and Building Permit Submittal. All

future development on the site shall comply with the requirements of the accepted geotechnical report prepared by a licensed geotechnical engineer.

<u>4)</u>

4) A restoration plan for the wetland area shall be prepared and submitted to the Planning Department for review at the time of the first project application, as required by Section I.B.3.c(i) of this PUD.

All future development on the site shall comply with the requirements and mitigations established by the EIR conducted for this project, on file with the County of Santa Cruz Planning Department.

C) Minor Variations

1) Minor variations to this permit that do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff, as a Level III permit.

D) Level VII Design Review Submittal Requirements

- 1) Preliminary Architectural and Site Plans
 - (a) Preliminary architectural and site plans, prepared by a licensed architect, meeting the standards established by the Planning Department for multi-family residential application submittal, shall be submitted. The plans shall incorporate, but not be limited to, all requirements contained in this PUD.
 - (b) The site plan shall clearly delineate all non-usable areas, including but not limited to:
 - (i) Wetland area and buffer, as shown on Exhibit A.
- 2) Utilities, Roads and Services
 - (a) Submit proof of authority from the City of Watsonville to build the required emergency access road on APN 019-236-01 as specified in PUD Section II.C.2.1.
 - (b) Submit preliminary engineered improvement plans to the Planning Department for all roads, curbs and gutters, storm drains, erosion control, and other improvements proposed or required by this PUD. Form and content of the plans shall meet the standards established by the Planning Department for multi-family residential application submittal, and shall meet the County's Design Criteria, except as modified by this PUD, in place at the time of Design Review Application Submittal.
 - (i) Preliminary improvement plans shall meet the following requirements:
 - All improvements shall be prepared by a registered civil engineer and shall meet the requirements of the County of Santa Cruz Design Criteria except as modified herein. Plans shall also comply with applicable provisions of Title 24 (Accessibility) of the State Building Code.
 - Preliminary drainage details including existing and proposed contours, plan views and centerline profiles of all driveway improvements, complete drainage calculations and all volumes of excavated and fill soils. This includes off-site work.
 - Preliminary grading plans must be submitted at time of application. The project design shall minimize grading on-site and off-site to the maximum

extent possible. This includes designing the grading and foundations to follow existing topography as much as possible. The grading plans shall include existing and proposed contours, plan views and centerline profiles of all driveway improvements, locations, and heights of all retaining walls, preliminary drainage design, grading cross sections through proposed building pads, and all volumes of excavated and fill soils. This includes all on-site and off-site work.

- Submit preliminary sanitation plans to the Department of Public Works for all sanitary improvements proposed or required by this PUD.
- For the first project applicant on APN 048-221-09, the design of the southbound left-turn pocket from Freedom Boulevard to Crestview Drive shall be submitted, in compliance with Section IX.K.3.13 MM 3.13-11a and b. 3.13-11.
- (ii) All road plans shall comply with all requirements of the Department of Public Works Road Engineering and shall be consistent with the County's Design Criteria for road construction. Right-of-way width shall be that described in PUD Section I.B.1.c.
- 3) A sign plan indicating the location and size of all signs on the site shall be submitted. The signs shall be consistent with the provisions of this PUD.
- 4) A current water will-serve letter from the City of Watsonville Public Works and Utilities Department (PWUD) shall be submitted to the Planning Department.
 - (a) Before obtaining this will-serve letter, developers shall be required to provide the County with proof that they have met the requirements of Section IX.L. 4.0 MM 4-3, requiring sufficient offsets for new water demand, at a rate of 1.2 gallons: I gallon.
 - (b) The Local Agency Formation Commission (LAFCO) approval of extraterritorial water service will be required.
 - (c) All groundwater wells shall be properly abandoned and capped, in compliance with all state, federal and local regulations, as detailed in Section IX.F. 3.7 MM 3.7-7.
- 5) A current sanitary sewer will-serve letter from the City of Watsonville Public Works and Utilities Department (PWUD) shall be submitted to the Planning Department.
 - (a) The Local Agency Formation Commission (LAFCO) approval of an annexation into the PWUD Service Area, or extraterritorial sewer service, will be required prior to the issuance of a will-serve letter.
 - (b) Any existing septic systems shall be properly abandoned per County requirements, as detailed in Section IX.F. 3.7 MM3.7-6.
 - (c) Due to the property's topography, a private pump station may be required to sewer some or all of the developments structures. The pump station shall be designed and constructed to resemble the development and shall be privately maintained. An onsite private generator will be required to run the sewer pump(s) in case of power outage. Odor control shall be required on the pump.
- V) Final Map Requirements and Timing.



If the project includes a Map, the following requirements shall be met prior to the final filing:

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- A) <u>Drainage</u>. Final engineered drainage details shall be submitted to the County Planning and Public Works departments for both on- and off-site drainage work. Drainage plans for Phase I shall show the temporary detention basin designed with sufficient capacity to address the drainage impacts identified by the EIR and included in Section IX of this PUD. Drainage from road improvements shall be filtered and released into the new drainage system. A Construction Activities Stormwater General National Pollution Discharge Elimination System (NPDES) Permit shall be obtained form the State Water Resources Control Board.
 - 1) The allowable release rate from the site shall be limited to the volumes identified in Section IX.G. 3.8 MM 3.8-1a or less based on an assessment performed by a drainage engineer and reviewed and approved by the Department of Public Works Drainage. The safe overflow paths for any proposed mitigation system shall be described and analyzed, and techniques such as minimizing site disturbance, minimizing impervious areas, utilizing pervious surfacing, eliminating directly connected impervious areas, clustering development, etc shall be considered.
 - 2) All runoff from parking and driveway areas shall pass through water quality treatment prior to the wetland and/or interim drainage basin.
 - 3) Depending on the nature of the proposed development, Public Works staff may inspect the construction of the drainage related items.
 - 4) Fees will be assessed on the net increase in impervious area due to the development project. Semi-pervious surfaces will be charged at a 50% rate.
- B) <u>Roads.</u> Final engineered road improvement plans shall be submitted to the County Planning and Public Works departments for both on- and off-site road improvements.
- C) Sanitation. The applicant shall form a homeowner's association with ownership and maintenance responsibilities for all on-site sewers for this project. Reference to the homeowners association shall be included on the Final Map and in the association's Covenants, Conditions &Restrictions, which shall be recorded and include PWUD-approved language on maintenance responsibilities.
 - 1) The applicant shall provide a copy of the CC&Rs to the PWUD prior to the filing of the Final Map.
- D) <u>Recorded Conditions</u>. Proof must be submitted that the conditions of all required permits (such as Design Review, NPDES) have been recorded in the official records of the County Recorder.
- E) <u>Affordable Housing.</u> The developer must enter into an Affordable Housing Participation Agreement with the County of Santa Cruz.
- F) Fees. All applicable impact in lieu fees shall be paid as described in a 2014 executed Atkinson Memorandum of Understanding between the County of Santa Cruz and the City of Watsonville, and as discussed in the 2014 EIR Addendum.
 - 1) Park dedication in-lieu fees shall be paid for each dwelling unit. The fees in effect at the time of filing of a Final Map, if applicable, shall be paid.



- 2) Unless otherwise satisfied by meeting the requirements of County Code Chapter 15.04 or its successor ordinance, Child Care Development fees shall be paid for each dwelling unit. The fees in effect at the time of filing of a Final Map, if applicable, shall be paid.
- 3) Transportation improvement fees shall be paid for each dwelling unit. The fees in effect at the time of filing of a Final Map, if applicable, shall be paid.

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4) Roadside improvement fees shall be paid for each dwelling unit. The fees in effect at the time of filing of a Final Map, if applicable, shall be paid.

VI) Building Permit Requirements and Timing.

Prior to the issuance of any building permit, all of the following conditions shall be met, some of which may have been met at the Final Map stage:

- A) Plans shall be consistent with the approved Design Review project and all requirements of this PUD.
- B) Final engineered drainage details shall be submitted to the Department of Public Works, Drainage for both on-site and off-site drainage work.
 - 1) The allowable release rate from the site shall be limited to the volumes identified in Section IX.G.3.8 MM 3.8-1a or less based on an assessment performed by a drainage engineer and reviewed and approved by the Department of Public Works Drainage. The safe overflow paths for any proposed mitigation system shall be described and analyzed, and techniques such as minimizing site disturbance, minimizing impervious areas, utilizing pervious surfacing, eliminating directly connected impervious areas, clustering development, etc shall be considered.
 - 2) All runoff from parking and driveway areas shall pass through water quality treatment prior to the wetland and/or interim drainage basin.
 - 3) Depending on the nature of the proposed development, Public Works staff may inspect the construction of the drainage related items.
 - 4) Fees will be assessed on the net increase in impervious area due to the development project. Semi-pervious surfaces will be charged at a 50% rate.
- C) Final engineered road improvement plans shall be submitted to the Department of Public Works, Road Engineering for both on–site and off-site road improvements.
- D) Submit proof that the conditions of all required permits (such as Design Review, Tentative Map) and all required Declarations of Restriction and Statements of Acknowledgment including those required by Section IX.A.3.2 MM 3.2-2c and Section IX.F. 3.7 MM 3.7-10 have been recorded in the official records of the County Recorder.
- E) All applicable impact in lieu fees shall be paid as described in a 2014 executed Atkinson Memorandum of Understanding between the County of Santa Cruz and the City of Watsonville, and as discussed in the 2014 EIR Addendum. All applicable impact in lieu fees shall be paid prior to issuance of building permits, if not paid at the time of the filing of the Final Map.
 - 1) Unless otherwise satisfied by meeting the requirements of County Code Chapter 15.01 or its successor ordinance, park dedication in-lieu fees shall be paid for each dwelling unit. The fees in effect at the time of building permit issuance shall be paid.

- 2) Unless otherwise satisfied by meeting the requirements of County Code Chapter 15.04 or its successor ordinance, Child Care Development fees shall be paid for each dwelling unit. The fees in effect at the time of building permit issuance shall be paid.

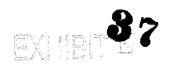
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- 3) Transportation improvement fees shall be paid for each dwelling unit. The fees in effect at the time of building permit issuance shall be paid. A credit may be allowed for installation of improvements off-site that are part of the Capital Improvement Program or otherwise required by the conditions of this PUD.
- 4) Roadside improvement fees shall be paid for each dwelling unit. The fees in effect at the time of building permit issuance shall be paid. A credit may be allowed for installation of improvements off-site that are part of the Capital Improvement Program or otherwise required by the conditions of this PUD.
- 5) Fair share or impact fees toward road improvements required by Section IX.K of this PUD shall be paid by the developer at the time of Building Permit issuance, and shared between the County and the City of Watsonville in accordance with the conditions of Section V.E. F. of this PUD.
- 6) Submit a written statement signed by an authorized representative of PVUSD confirming payment in full of all applicable developer fees and other requirements lawfully imposed at the time of building permit issuance. The applicant/developer is advised that the development may be subject to inclusion in a Community Facilities District.
- F) Plan review letters shall be obtained from the technical report authors indicating that the plans comply with the County approved technical report and all of their recommendations have been incorporated into the project plans, particularly the requirements of Section IX.E.3.6 MM 3.6-1 and MM 3.6-2.
- G) All requirements of the Pajaro Valley Fire Protection District shall be met with respect to access, turnarounds, fees, water availability and design features.
- H) The units shall be connected for sewer service to the City of Watsonville Public Works and Utilities Department. All regulations, conditions and connection fees of the Public Works and Utilities Department shall be met and paid. Off-site improvements may be required. Final engineered plans shall be submitted, which comply with all requirements and standards of the Public Works and Utilities Department.
 - 1) If a private pump station is proposed as part of the project, a private pump station and sewer system maintenance and response manual shall be outlined by the applicant and submitted to the Public Works and Utilities Department for review and approval.
- I) All units shall be served by the City of Watsonville Water Department. All requirements of that water district including the payment of connection fees and groundwater impact fees or activities shall be met. Engineered improvement plans for all water line extensions required shall be submitted for the review and approval of the Water Department. Off-site improvements may be required.
- J) Final engineered plans shall be submitted complying with all requirements and standards of the City of Watsonville Water Department.
- K) The developer shall enter into an Affordable Housing Participation Agreement.
- L) Prior to the final inspection or clearance of the building permit, all of the site improvements shown on the approved building permit plans and Design Review approval shall be installed/implemented.

VII) Construction Phase Requirements

A) Prior to any site disturbance or physical construction on the subject property the following condition shall be met:

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- 1) Pre-Construction Meeting: In order to ensure that the mitigation measures are communicated to the various parties responsible for constructing the project, prior to any disturbance on the property the applicant shall convene a pre-construction meeting on the site. The following parties shall attend: applicant, grading contractor supervisor, project arborist, and Santa Cruz County Environmental Planning staff. The temporary construction fencing demarcating the edge of the riparian corridor setback and the tree protection fencing will be inspected at that time. Approval of the results of the pre-construction biotic surveys will be reaffirmed at this time. The receiving site for any exported fill will also be identified and County approved grading permits presented.
- B) No land clearing, grading or excavating shall take place between October 15 and April 15 unless the Planning Director grants a separate winter grading permit, which may or may not be granted.
 - 1) County standards for stormwater best management practices, including those related to erosion and sediment control during construction, shall be implemented.
- C) No land disturbance shall take place prior to issuance of building permits (except the minimum required to install required improvements, provide access for County required tests or to carry out work required by the conditions of an entitlement permit).
- D) Unless determined to be unnecessary by an archaeological field survey, an archaeologist shall be present on-site during all ground disturbance on the site.
- E) In the event that threatened or endangered plant or animal species are discovered on the site, the habitat areas for these species shall be avoided and no disturbance will be permitted. Section IX.C 3.4 details further requirements for developers of the PUD area in order to minimize the potential impacts of construction activities on sensitive species in the area.
- F) Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, and Section IX.D. 3.5 MM 3.5-1a and 3.5-1c of this PUD shall be observed.
- G) To minimize noise, dust and nuisance impacts of surrounding properties to insignificant levels during construction, the owner/applicant shall or shall have the project contractor, comply with the following measures as well as those delineated in Section IX.I. 3.10 MM 3.10-1 of this PUD, during all construction work:
 - 1) Limit all construction to the time between 7:30 am and 4:30 pm weekdays unless a temporary exception to this time restriction is approved in advance by County Planning to address an emergency situation; and
 - 2) Each day it does not rain, wet all exposed soil frequently enough to prevent significant amounts of dust from leaving the site.



- H) The applicant shall designate a disturbance coordinator and a 24-hour contact number shall be conspicuously posted on the job site. The disturbance coordinator shall record the name, phone number, and nature of all complaints received regarding the construction-site. The disturbance coordinator shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.
- I) One (1) "construction/security trailer" (maximum 12 feet by 60 feet) is allowed on the site during construction. The size and location of the unit shall conform to all yard setbacks contained in the PUD and shall be shown on the plot plan. Compliance with Section 13.10.683 or any successor ordinance is required. A building permit is required for the installation of the construction trailer.

VIII) Mitigation Monitoring Program

A) The mitigation measures listed in Section IX of this PUD consist of the updated mitigation measures per the 2014 EIR Addendum for the modified project. The mitigation measures have been incorporated in the conditions of this approval in order to mitigate or avoid significant effects on the environment. As required by Section 21081.6 of the California Public Resources Code, a monitoring and reporting program for the mitigations is hereby adopted as a condition of approval. The purpose of this monitoring is to ensure compliance with the environmental mitigations during implementation and operation. Failure to comply with the conditions contained within the PUD, including the terms of the adopted mitigation monitoring program, may result in the revocation of the PUD pursuant to section 18.10.462 of the Santa Cruz County Code.

IX) Mitigation Measures, and Mitigation Monitoring and Reporting Program (MMRP)

Continued on the following pages.

THIS MEMORANDUM OF UNDERSTANDING is entered into this	day
of, 2014, by and between the County of Santa Cru	uz, hereinafter
referred to as "County," the City of Watsonville, hereinafter referred to	as "City," and
MidPen Housing, hereinafter referred to as "MidPen," together refer	red to as the
"Parties."	

RECITALS

WHEREAS, on June 12, 2007, the City and County entered into an Memorandum of Understanding, hereinafter referred to as "2007 MOU", to jointly oversee the planning and environmental review process for a group of properties (hereinafter referred to as "Atkinson Lane Project") primarily located in the unincorporated area of the County, but also in the Future Growth Area B under the City's Measure U (an initiative approved by city voters to govern future development); and

WHEREAS, as a result of that effort, an Environmental Impact Report (EIR), Planned Unit Development (PUD), and Specific Plan were prepared to address the scope of the then-proposed project of approximately 450 residential units, including identification of impacts and mitigation measures, as well as requirements for impact fees to be paid to the County and City, and a municipal services mitigation payment to be made to City by any developers of affordable rental projects; and

WHEREAS, on June 9, 2009 the final EIR was certified by the County, in conjunction with County approval of a General Plan Amendment, Rezoning, and Planned Unit Development for a portion of the property. While a draft Specific Plan had been prepared for the City's consideration, it was not acted upon by the City; and

WHEREAS, on July 8, 2009, the Farm Bureau filed a petition for a Writ of Mandate against the County, City and others with regard to certification of the EIR. As a result of this litigation, a Settlement Agreement was reached in 2011 between the Farm Bureau, the County, and the City; and both the City and County agreed that the EIR would not be used in connection with any action or proposal to develop or annex any, all or portions of the Specific Plan Area not included within the County Entitlements, and the City agreed that nothing in the County Approvals includes approval of the Specific Plan, or the EIR covering the Specific Plan area; and

WHEREAS, the Settlement Agreement does allow the City to rely upon the EIR and to approve development involving two parcels currently located within the City, as they are intended to be incorporated into project(s) authorized by the County Entitlements; and

WHEREAS, as a result of the Settlement Agreement, the City and the County are allowed to rely upon the certified EIR and to approve developments within the defined County Entitlements Area which is defined to include the following Assessor's Parcel Numbers (APNs):

COUNTY ENTITLEMENTS AREA

(within existing City of Watsonville Sphere of Influence)

019-226-42	52 Atkinson Lane	MidPen Housing parcel within City of Watsonville
019-236-01	78 Atkinson Lane	Lamb parcel within City
048-211-25	56 Atkinson Lane	MidPen Housing parcel within County
048-221-09	no site address	Lamb parcel within County

WHEREAS, MidPen has, with the benefit of a loan from the County's Redevelopment Agency, acquired APN 048-211-25 within the County's jurisdiction, and has purchased with its own funds APN 019-226-42 within the City's jurisdiction. Together, these two adjoining properties create a stand-alone developable project site within the County Entitlements Area that is allowed under the Settlement Agreement to be considered for approval; and

WHEREAS, MidPen has designed a cohesive 46-unit project consisting of 26 units on APN 048-211-25 located in the County and 20 units on APN 019-226-42 located in the City, and has submitted applications for discretionary permit entitlements from both the County and the City that require approval before submittal of building permits for the project, and these discretionary applications are expected to be considered by the County and by the City for approval in the near future; and

WHEREAS, as CEQA Lead Agency, the County has prepared an Addendum to the EIR in order to reflect the terms of the Settlement Agreement and to update and allocate the mitigation measures to the current MidPen 46-unit project and to future projects within the County Entitlements Area, and both the County and the City will rely on the EIR and EIR Addendum for actions on the current MidPen projects, and the County would expect to rely on the EIR and EIR Addendum for actions on future projects within the County Entitlements Area; and

WHEREAS, because the MidPen project straddles the City and County boundary, there is a need to address how building plan checks and inspections will occur for the 46-unit MidPen development project; and

WHEREAS, it is also necessary to address how payment of impact fees by projects located within the County Entitlements Area will be made to the City and County; and to address how the parties will ensure that the Municipal Services Mitigation Payment required by the EIR for affordable rental housing projects will be made by MidPen to the City for the Phase 1a project, which is to be paid by the time of building permit issuance.

NOW, THEREFORE, in consideration of the mutual promises of the 2007 MOU, the terms of the 2011 Settlement Agreement, the 2009 EIR and 2014 Addendum to the EIR, and the considerations contained herein, the Parties agree to the following:

1. Building Permit Process for the MidPen 46-unit Project

- a. Parties agree that it would be inefficient and unreasonable to require MidPen to submit separate building permit applications to the City and County for their portions of the project and to have both jurisdictions conducting separate plan check and building inspections.
- b. Parties therefore agree that the County shall be the jurisdiction to process building permits, including plan check, required inspections, and approval of occupancy of the buildings; with the exception of fire plan check which shall be coordinated between the City and Cal Fire agencies.
- c. Parties agree that for consistency, fire plan check shall be coordinated between the City and County, with a single point of contact for corrections and comments between the County, City, and MidPen. Fire plan check, processing and inspection fees shall be paid as follows: Paid to the County based on current County fee schedule for 26 units; and paid to City based on current City fee schedule for 20 units.
- d. Parties agree that the level of building plan check, processing and inspection fees paid to the County for all 46 units shall be as adopted by the County of Santa Cruz, except as provided by 1c above with regard to fire fees.
- e. The County shall apply City building standards for the purposes of plan check and inspection services for the 20 units located on APN 019-226-42.
- f. Parties agree that MidPen retains the option to separately apply to each jurisdiction for building permits in the event that the project is built in separate phases; whether due to delays in the discretionary process in either jurisdiction or for any other reason.

2. Impact Fees and Distribution for Projects within the County Entitlements Area

- a. City and County agree to use the impact fee structures of each jurisdiction that are in effect at the time of building permit issuance. Impact fees shall be paid prior to issuance of building permits. MidPen agrees to pay, in the context of approval of the 46-unit project, such impact fees to the appropriate jurisdiction as outlined below, prior to issuance of any building permit for the project, and the County agrees not to issue a building permit until such time that payment of all impact fees to City and County have been verified in writing. City and County agree that this MOU's approach to payment of impact fees will be used for any future projects on county parcels within the County Entitlements Area, in addition to the current MidPen project which is located on both city and county parcels.
- b. County agrees not to collect drainage fees for the MidPen project; due to the location of the County parcel proposed for 26 units of the MidPen project, which is adjacent to City areas and relates to City drainage infrastructure. Future projects on county parcels within the County Entitlements Area will also not be subject to county drainage fees, unless it is determined through analysis that the site(s) do contribute drainage to county stormwater/drainage infrastructure, in which case the County will set a level of a county drainage fee that would be in addition to any City storm drainage, impervious area and groundwater impact fees.
- c. County agrees to collect Childcare Impact fees for the 26 units of the MidPen project located in the County, and for any future projects on county parcels within the County Entitlements Area. No childcare impact fees will be collected for the 20 MidPen project units located in the City.
- d. City and County agree to collect and distribute their own Parks Impact fees each based on their own adopted fee levels; the City fees for the 20 MidPen units located in the City, and the County fees for the 26 MidPen units located in the County, and for any future projects on county parcels within the County Entitlements Area. County parks impact fees shall be designated to be used to improve South County Parks.
- e. The City, County and MidPen agree that the following City impact fees shall be collected and distributed to the City of Watsonville for the entire 46-unit MidPen project, as well as any future projects on county parcels

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within the County Entitlements Area; due to the location of the Area, which is adjacent to city areas and relates to city infrastructure:

- i. Sanitary Sewer Connection Fee
- ii. Water Service Fee
- iii. Groundwater Impact Fee
- iv. Storm Drainage Fee
- v. Impervious Area Impact Fee
- vi. Public Facilities Fee
- vii. Fire Impact Fee
- viii. Underground Utility In-Lieu Fee
- f. City and County agree that MidPen will pay the City Traffic Impact Fee to the City for the 20 units located in the City; and to the County for the 26 units of the MidPen project located on the county parcel; and also agree that any future projects within the County Entitlements Area will pay the County Transportation Impact Fee and Roadside Improvement Impact Fee to the County, for units located in the County. Further, the City and County agree that in order to ensure that adequate funding provided to meet fair share allocations and is available for Watsonville to implement certain traffic mitigations, and to ensure that appropriate project-level requirements are made of projects within the County Entitlements Area, the County will carry out the following:
 - i. The County will pay a portion of its transportation impact fees to the City, at a rate of \$130 per unit, for units located on county parcels within the County Entitlements Area, in order to ensure that county Atkinson projects contribute their fair shares to the costs of improvements to mitigate project impacts (in addition to the \$664 per unit below to address the cumulative impact); and to provide \$20,000 in funding to assist with costs of City of Watsonville coordination with Caltrans and the County on two improvement projects involving Highway 1 ramps, for which the County will cover the fair share contributions of the Atkinson project through the County's impact fees;
 - ii. The County will pay a portion of its transportation impact fees to the City, at a rate of \$664 per unit, for units located on county parcels within the County Entitlements Area, in order to ensure that county projects contribute one-half of the cost of MM 4-1, a traffic signal at East Lake Avenue/Wagner Avenue to be installed in the future by

- the City of Watsonville, which is an improvement identified to mitigate a cumulative impact;
- iii. The County will ensure that the first project related to future development of the Lamb property within the County Entitlements Area will have a condition of approval imposed that requires the first development project to implement MM 3.13-11a prior to project occupancy, which requires lengthening the left-turn pocket from Freedom Blvd. to Crestview Drive by at least 25 feet; and that this requirement is in addition to and not credited to impact fees;
- iv. The County will ensure that the first project related to future development of the Lamb property within the County Entitlements Area will have a condition of approval imposed that requires the first development project to implement MM 3.13-12b prior to project occupancy, which requires development and implementation of a traffic calming plan on Brewington Avenue north of Crestview Drive; and that this requirement is in addition to and not credited to impact fees, but which may involve a reimbursement agreement whereby the first applicant may be reimbursed a portion of the cost by other future developers of projects on the Lamb property;
- v. The County agrees that the transportation and roadside impact fees that it receives from projects developed within the County Entitlements Area will be dedicated toward the cost of improvements to the East Lake (Hwy 152)/Holohan intersection; with the exception of the above-described \$130 and \$664 per unit amounts that will be provided to the City by the County from its transportation impact fees collected; and with the exception of the fair share amounts as identified in MM 3.13-6 (Hwy 1 Ramps/Harkins Slough Road) and MM 3.13-8 (Highway 1/Larkin Valley/Airport Blvd NB Ramps/Intersection), which the County must retain in order to meet the fair share contributions of Atkinson projects within the County Entitlements Area to those identified improvement projects.

3. Municipal Services Mitigation Payment

a. In order to meet a requirement of the EIR, the City and MidPen agree that Mid-Pen shall make a one-time municipal services mitigation payment to the City in accordance with an executed agreement between the City and

MidPen, to support the ability of the City to provide municipal services such as police and fire, and to ensure ability to respond to anticipated calls for service to the 46-unit MidPen project and meet demands for other city services that may be accessed by households living in the MidPen project. Given its location adjacent to city areas, and linkage to the 20 units of the project located on a city parcel, it is anticipated that public safety response to the 26 units of the MidPen project that are located in the County would most likely be made by City Police and Fire personnel. The County agrees not to issue a building permit for the project until proof of such payment in accordance with an agreement executed by MidPen and the City has been presented to the County.

- b. City and County agree that if any additional affordable rental housing projects are contemplated for approval by the County within the County Entitlements Area in the future, the County agrees to impose a requirement for the developer to enter into an agreement with the City of Watsonville regarding the municipal services mitigation payment, and the County agrees not to issue a building permit for the project(s) until proof of such payment in accordance with an agreement executed by the housing developer(s) and the City has been presented to the County.
- c. The City, County and MidPen agree that the City of Watsonville will provide the following services for the life of the entire 46-unit MidPen project; and the City and County agree to support applications as necessary to the Local Agency Formation Commission (LAFCO) for extraterritorial water and sewer service to the MidPen project and to any other future projects on county parcels within the County Entitlements Area:
 - i. Fire
 - ii. Police
 - iii. Water
 - iv. Solid Waste
 - v. Sewer

This MOU may not be altered, amended, or modified, except in a written document that is executed by duly authorized representatives of the City, County, and MidPen. This MOU will be governed by and construed, enforced, and performed in accordance with the laws of the State of California.

The Parties agree to the provisions of this MOU by having their authorized representatives sign below:

Carlos Palacios Watsonville City Manager

Approved as to Form City Attorney

Matthew Franklin
MidPen Housing Executive
Director

Susan Mauriello

County)Administrator

Approved as to Form County Counsel

SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT ("Agreement") is made and entered into by and among the Farm Bureau of Santa Cruz County ("Farm Bureau"), the County of Santa Cruz ("County"), and the City of Watsonville ("City"). The foregoing shall be referred to herein collectively as the "Parties." "County" includes the Santa Cruz County Board of Supervisors ("Board"), and "City" includes the City Council of the City of Watsonville ("Council").

RECITALS

A. Farm Bureau is a California nonprofit corporation consisting of individuals dedicated to the promotion and protection of agriculture in Santa Cruz County.

B. County is a political subdivision of the State of California with responsibility, among other things, for regulating land uses on properties located within the unincorporated portions of Santa Cruz County. The Board of Supervisors of Santa Cruz County ("Board") is the governing body of County.

C. City is a charter city located within the County of Santa Cruz with responsibility, among other things, for regulating land uses on properties located within the city limits of the City of Watsonville. The City Council of the City of Watsonville ("Council") is the governing body of City.

D. On or about June 9, 2009, over the objection of Farm Bureau, County took action to certify an Environmental Impact Report ("EIR") for a project called the "Atkinson Lane Specific Plan and PUD" (the "Project"). County acted as "Lead Agency" for this Project, pursuant to the California Environmental Quality Act ("CEQA"—Public Resources Code Section 21000, et seq.). The Project analyzed in the EIR generally includes (1) a Planned Unit Development ("PUD") and related entitlements approved by the County, which was proposed on lands located

mostly within the unincorporated area of Santa Cruz County; and (2) a proposed Specific Plan to be approved by the City at a future date for lands currently located in the unincorporated portions of Santa Cruz County but proposed for annexation by City. (See Map attached hereto as Exhibit A).

E. In addition to certifying the EIR, the County's actions on or about June 9, 2009 included, inter alia, the following: (1) approval of a PUD Permit, Development Permit, Riparian Exception, and CEQA Findings for a residential development proposed to occur mostly on lands located within the unincorporated portion of Santa Cruz County; (2) adoption of a Resolution approving General Plan Amendments and a Riparian Exception for said project; (3) adoption of an Ordinance rezoning APN 048-211-25 and APN 048-221-09 to RM-2-R, for properties located within the unincorporated portions of Santa Cruz County; and (4) adoption of an ordinance approving a PUD (collectively the "County Entitlements").

F. In addition to the approval of the County Entitlements on or about June 9, 2009 the County also adopted a Resolution certifying the adequacy of an EIR for the Project. As certified by the Board, the EIR was intended to encompass environmental review for both the County Entitlements and also the environmental review of a proposed future Specific Plan and potential annexation to be considered by the City at a future time. The actions taken by the County as described in Recital E and F above are hereinafter referred to as the "County Approvals," which include the County Entitlements and certification of the EIR.

G. On or about July 8, 2009, Farm Bureau filed a Petition for a Writ of Mandate (the "Petition") against the County, the Board, the City, and the Council, and named a number of individual property owners as Real Parties In Interest. The Petition was filed in the Santa Cruz County Superior Court, and was designated as Case No. CV 164486. By stipulation of the

Parties, on or about September 25, 2009, the individual property owners were dismissed as Real Parties in Interest.

H. Among other things, the Farm Bureau's Petition challenged the County's June 9, 2009 certification of the EIR, and the County's approval of the County Entitlements. In its Petition, the Farm Bureau asked the Court to direct the County properly to carry out the County's responsibilities as a Lead Agency under CEQA, and to mandate that the County set aside all of its actions taken on the basis of the EIR. Farm Bureau alleged, *inter alia*, that that evaluation and analysis was inadequate and that the County failed to proceed in a manner required by law.

I. The Parties have concluded that it would be desirable and in the best interests of the Parties to settle all issues related to Case No. CV 164486 on the terms set forth herein. By this Agreement, the Parties intend fully and completely to resolve any and all of the disputes between the Parties relating to Case No. CV 164486, including but not limited to the County's action(s) on the County Approvals, and County and City's compliance with CEQA.

TERMS OF AGREEMENT

Accordingly, in consideration of the mutual promises contained herein, the Parties agree as follows:

- 1. The County will pay to Farm Bureau, through its attorneys Wittwer & Parkin, LLP, the sum of sixty-thousand dollars (\$60,000) for reimbursement of its reasonable attorneys' fees incurred. The check shall be made payable to Wittwer & Parkin, LLP, and shall be paid within 15 days of the "Effective Date" of this Agreement, as defined in Paragraph 12, below.
- 2. At County expense, and as soon as reasonably possible, the County shall take all actions, including necessary legal actions, for the County formally to consider modifying the County Entitlements consistent with this Agreement (the "Modifications to the Approvals").



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The County may accomplish the Modification to the Approvals by using, including but not limited to, the following mechanisms: minor modification of the County Entitlements as authorized by the County Entitlements and/or incorporation into the required design review permit for development consistent with the County Entitlements. The Modifications to the Approvals shall include the following language and provisions:

a) The County will encourage and promote, to the extent feasible the maximum number of affordable housing opportunities for farm workers that can be located on APN 048-221-09 and APN 048-221-25. To achieve this objective, the County will give preference to development proposals on APN 048-221-09 and APN 048-221-25 that maximize the availability of outside funding sources for development projects that provide significant affordable housing opportunities for farm workers. In an effort to maximize outside funding sources, the County and/or its development partner will pursue all available funding opportunities, including funds from the Farm Bureau or its affiliates for farm worker housing. In addition, the County staff will confer with the Farm Bureau through its attorneys Wittwer & Parkin LLP about the Farm Bureau's available funding prior to considering an application to the County for a development proposal on APN 048-221-09 and APN 048-221-25. To the extent that the County controls ownership of APN 048-221-09 and APN 048-221-25 or provides funding for affordable housing on APN 048-221-09 and APN 048-221-25, the County will maximize the availability of outside funding sources (including funds raised by the Farm Bureau and its affiliates), to support the construction of affordable housing opportunities for farm workers on APN 048-221-09 and APN 048-221-25 to the maximum extent

feasible. Nothing in this section is intended to conflict with or supersede the goals relating to affordable housing in the PUD pursuant to the County Entitlements as stated in the Memorandum of Understanding between the City and the County dated June 12, 2007.

b) County shall adopt Modifications to the Approvals that prohibit the County from constructing or approving any road or utility stub outs that can be easily used for future development in the areas to be incorporated into the city limits of the City of Watsonville covered by the Specific Plan as contemplated in the EIR, and which are not part of the project authorized by the County Entitlements, or that would give credence to any argument that development of the Specific Plan Area was envisioned by and should be considered as part of the project authorized by the County Entitlements. The County further agrees that all utility connections and road access are independent of the Specific Plan Area, and that it shall not take any action with respect to development pursuant to the County Entitlements that would necessitate or encourage the development of a Wagner Avenue extension. This paragraph shall not apply to use of APN 019-236-01 for secondary access purposes (and Exhibit B, attached hereto, illustrates generally how APN 019-236-01 may be utilized for secondary access purposes). APN 019-236-01 shall not be used for primary access to the project authorized by the County Entitlements consistent with the EIR and shall only be used for secondary access if the project authorized by the County Entitlements completes the proposed extension of Brewington Avenue up to and including the roundabout depicted within the County project site on Figure 2-18 of the EIR. (This reference

- to the roundabout is for illustrative purposes only and is not intended to modify this subparagraph's requirement that the County shall adopt Modifications to the Approvals that prohibit the County from constructing or approving any road or utility stub outs that can be easily used for future development.)
- c) County shall impose conditions through Modifications to the Approvals to ensure that the agricultural buffer established as part of the County Entitlements will not be used for public recreation, park purposes, trails, picnic areas, roads or sidewalks or other similar uses that would encourage public use of the buffer area, except for the construction and maintenance of the Brewington Avenue extension and other infrastructure needed to support the County project authorized by the County Entitlements. Except as provided herein, the buffer area shall be used exclusively to protect adjacent agricultural operations as long as adjacent properties remain undeveloped for urban or suburban uses.
- d) The Modifications to the Approvals shall require a 1.2 gallon offset for every new gallon of water used in the the project authorized by the County Entitlements. With respect to the project authorized by the County Entitlements only, the development of agricultural land shall not to be used as an offset because of reduced irrigation, with respect to water offsets All applicants for new water service from the City of Watsonville related to the project authorized by the County Entitlements shall be required to meet the 1.2 required offset by retrofitting existing developed property within the City of Watsonville's water service area. Applicants for new service shall bear those costs associated with the retrofit and pay any associated fees set by the City to reimburse administrative

and inspection costs in accordance with any procedures for implementing this program. Nothing herein prevents the Farm Bureau from asserting during future administrative proceedings, if any, that these offset provisions should apply to the City's proposed Specific Plan Area.

- 3. County hereby recognizes the provisions of Measure J that provide that it shall be the policy of County that prime agricultural lands and lands that are economically productive when used for agriculture shall be preserved for agricultural use. (Santa Cruz County Code § 17.01.030 (a)).
- 4. County hereby declares that County development consistent with the County Entitlements is and was not dependent on development of the City's Specific Plan Area. County further hereby agrees that it will not use the County Approvals to argue in any correspondence, administrative proceeding or court of law that the City's Specific Plan Area should be developed. and that other than what was set forth in the prior Atkinson Lane Memorandum of Understanding between the City and the County dated June 12, 2007, that there are not or was not any County-City agreement or approval for development of the Specific Plan Area. This paragraph shall not apply to: (1) the approximately 1.3 acre piece of land already within the City of Watsonville (APN No.: 019-226-042) intended to be incorporated into the project authorized by the County Entitlements; and (2) the approximately 0.5 acre piece of land already within the City of Watsonville intended to provide secondary access to the project authorized by the County Entitlements (APN No. 019-236-001).
- 5. Both County and City agree that the EIR shall not be used in connection with any action or proposal to develop or annex any, all or portions of the Specific Plan Area not included within the County Entitlements, and City agrees that nothing in the County Approvals includes

approval of the Specific Plan, or an EIR covering the Specific Plan area, or any element of the Specific Plan, or of the infrastructure therefor. For any future proposal for annexation, approval of a Specific Plan, and development of an area contemplated to be subject to the Specific Plan, City will prepare a new environmental document, presumably a new EIR specific to the annexation, Specific Plan and/or development that is proposed in the future without relying on the EIR certified by the County as part of the County Approvals, including, but not limited to, reliance on the EIR certified by the County. Furthermore, the City will fully comply with all legally required applicable CEQA procedures including but not limited to Notice of Preparation, Public Review and Comment on a Draft EIR, and Responses to Comments. This section shall not apply to: (1) the approximately 1.3 acre piece of land already within the City of Watsonville (APN No.: 019-226-042) intended to be included within the site of the project authorized by the County Entitlements; and (2) the approximately 0.5 acre piece of land already within the City of Watsonville intended to provide secondary access to the project authorized by the County Entitlements (APN No. 019-236-001).

6. Following County's payment to Farm Bureau as referenced in paragraph 1, and if the County adopts the necessary Modifications to the Approvals as indicated in paragraph 2 above, Farm Bureau will dismiss with prejudice the Petition filed against the County, the Board, the City and the Council in Case No. CV 164486 within 10 calendar days after the County has completed its actions pursuant to Paragraph 2. In the event that Farm Bureau has not been paid pursuant to Paragraph 1, or if the County does not approve the Modifications to the Approvals as specified in Paragraph 2, then consideration of Case Number CV 164486 shall be placed back on the Court's calendar for consideration of the merits of the case, and in the event Farm Bureau is ultimately awarded attorneys' fees in such litigation, any payments made pursuant to this

Agreement will be credited against any such fee award. In such event that the Modifications to the Approvals are not approved, with the exception of credits of payments made pursuant to paragraph 1, this Agreement is hereby terminated and the parties are restored to their respective positions as if this Agreement had never been executed.

7. Upon dismissal with prejudice pursuant to Paragraph 6 above, each and every party to this Agreement hereby releases, disposes, and forever discharges each and every other party, including its officers, managers, partners, directors, board of supervisors, city council, trustees, agents, employees, representatives, attorneys, insurers, departments, divisions, subdivisions, sections, offices, successors and assigns, and each of them, from any and all claims, complaints, demands, causes of action, obligations, damages, costs, expenses, liens, attorneys' fees, warranties, rights and liabilities of any nature whatsoever, whether known or unknown, suspected or not suspected to exist, claimed or not claimed, that have arisen in connection with the Petition in Case Number CV 164486. This release applies to all of the events and/or actions alleged to have occurred in the Petition and to any cause of action or claim in any forum based on such allegations. In addition, Farm Bureau waives its right legally to challenge: (1) the County's approval of a design review permit for a project authorized by the County Entitlements, provided the approval is consistent with this Agreement; (2) use of APN No. 019-236-01 for secondary access to serve the project authorized by the County Entitlements; and (3) City approval of a development project on APN 019-226-42 that is consistent with the County Approvals. Except as provided herein, nothing herein prohibits Farm Bureau from: (1) challenging any subsequent change to the County Approvals (other than such minor modifications contemplated by this Agreement) challenged in this action not consistent with this

Agreement; (2) any future City approval, except as provided herein; (3) enforcing the terms of this Agreement; or (4) any revised County project that is inconsistent with this Agreement.

8. Upon dismissal with prejudice pursuant to Paragraph 6 above, each of the parties also expressly waives all "unknown claims" against each other party and those persons and entities mentioned in the previous paragraph as to the facts and circumstances concerning the claims set forth in the Petition, and expressly waives its rights under Civil Code section 1542 as to all claims arising out of the operative facts which form the basis for the Petition. Section 1542 reads as follows:

A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor.

Upon dismissal with prejudice pursuant to Paragraph 6 above, each of the parties hereby completely and unequivocally waives as against each other party the provisions of Civil Code section 1542 as it applies to the facts set forth in the Petition in case number CV 164486.

9. This Agreement is a compromise settlement of disputed claims and by executing this Agreement no party admits any wrongdoing, liability or fault in relation to the matters alleged in the pleadings in case number CV 164486 or identified in the Recitals herein, and no party admits that Farm Bureau is entitled to any recovery, and likewise Farm Bureau does not concede that it is not entitled to any recovery, arising from the allegations in the pleadings in case number CV 164486. County agrees to not use the terms of this Agreement in any other court proceeding against the County by third parties concerning rezonings, general plan amendments, and planned unit developments under its Housing Element Rezoning Program.

- 10. In entering into this Agreement, each party represents that it has read all of the terms of this Agreement and that the terms of this Agreement are fully understood and voluntarily accepted by each party.
- 11. The Parties acknowledge that each party has reviewed this Agreement and that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement.
- 12. The effective date of this Agreement shall be date by which it is signed by the last of the Parties signing ("Effective Date").
- 13. This Agreement sets forth the entire understanding of the Parties in connection with the subject matter herein. None of the Parties have made any statement, representation or warranty in connection with this Agreement that has been an inducement for the others to enter into this Agreement, except as is expressly set forth in this Agreement. It is expressly understood and agreed that this Agreement may not be altered, amended, modified or otherwise changed in any respect whatsoever except by a writing duly executed by authorized representatives of the Parties hereto. The Parties agree that they will make no claim at any time or place that this Agreement has been orally altered or modified or otherwise changed by oral communication of any kind or character.
- 14. The Parties each represent and warrant that they fully understand that if the facts with respect to which this Agreement is executed should be found hereafter to be different from the facts now believed to be true by any party, each of them expressly accepts and assumes the risk of such possible differences in facts and agrees that this Agreement shall be and remain effective notwithstanding such differences in facts.

- 15. The Parties agree that except as provided in Paragraph 1, above, they will each bear their own attorney fees and costs arising from the litigation of case number CV 164486, and all related administrative proceedings.
- 16. This Agreement shall be governed by the laws of the State of California. Venue shall be in the County of Santa Cruz.
- 17. In the event any portion of this Agreement is deemed to be unenforceable, or is in conflict with applicable law, the remainder of this Agreement shall be enforced and shall remain in full force and effect, unless the portion unenforceable is a material consideration to a party to this Agreement.
- 18. Any party to this Agreement may enforce the Agreement by filing a motion pursuant to Code of Civil Procedure Section 664.6 or under any other procedure permitted by law. The prevailing party in any such enforcement action shall be entitled to attorney fees and costs.
- 19. Farm Bureau agrees that except as provided in Paragraph 1, above, it is fully and solely responsible for satisfaction of any and all liens or claims for reimbursement or subrogation of expenses incurred by it or on its behalf related to any of its claims as alleged in the Petition in case number CV 164486. Upon dismissal with prejudice pursuant to Paragraph 6 above, Farm Bureau releases, holds harmless, and agrees to indemnify the County of Santa Cruz, and the City of Watsonville, and all of their agents, offices, officers, members, successors and assigns, managers, partners, directors, board of supervisors, city council, trustees, agents, employees, representatives, attorneys, insurers, departments, divisions, subdivisions, sections, offices, and each of them from any and all claims for reimbursement and/or subrogation related to any of the claims alleged in its Petition up to the time of its dismissal.

- 20. All Parties agree to cooperate fully and to execute any and all documents, and to take all additional actions that may be necessary or reasonably appropriate to give full force and effect to the basic terms and intent of this Agreement, and which are not inconsistent with its terms.
- 21. By their signatures below, the Parties herein acknowledge that they have read the terms of this Agreement, understand the terms thereof, and are agreed thereto.
- 22. The individuals whose signatures appear hereinbelow represent, warrant and guarantee that they have the authority to execute this Agreement on behalf of those entities on whose behalf they purport to execute this document. Farm Bureau agrees and represents that the person signing on behalf of Farm Bureau below is authorized to execute this agreement on behalf of Farm Bureau of Santa Cruz County and that such nonprofit corporation agrees to be bound by this Agreement.

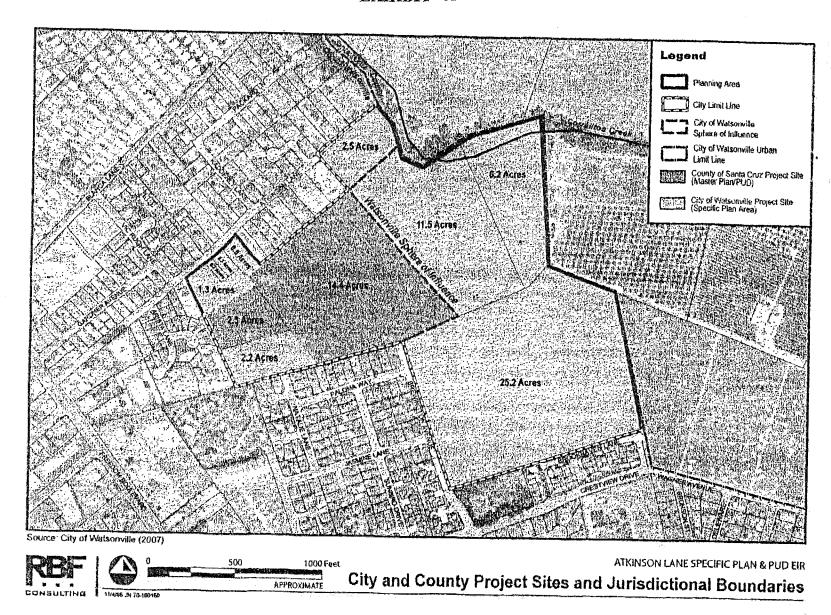
	FARM BUREAU OF SANTA CRUZ COUNTY
DATED:	By: President
DATED: 2 14/11	COUNTY OF SANTA CRUZ
	By: Mark Stone Its: Chair Board of Supervisors

DATED:	CITY OF WATSONVILLE
	Must Wedge
	By: Its: Mayor, City Council
Approved as to form:	
DATED: // Zo/11	Quillelle
	Assistant County Counsel Attorney for the County of Santa Cruz
Approved as to form:	
DATED:	City Attorpey
	Attorney for the City of Watsonville

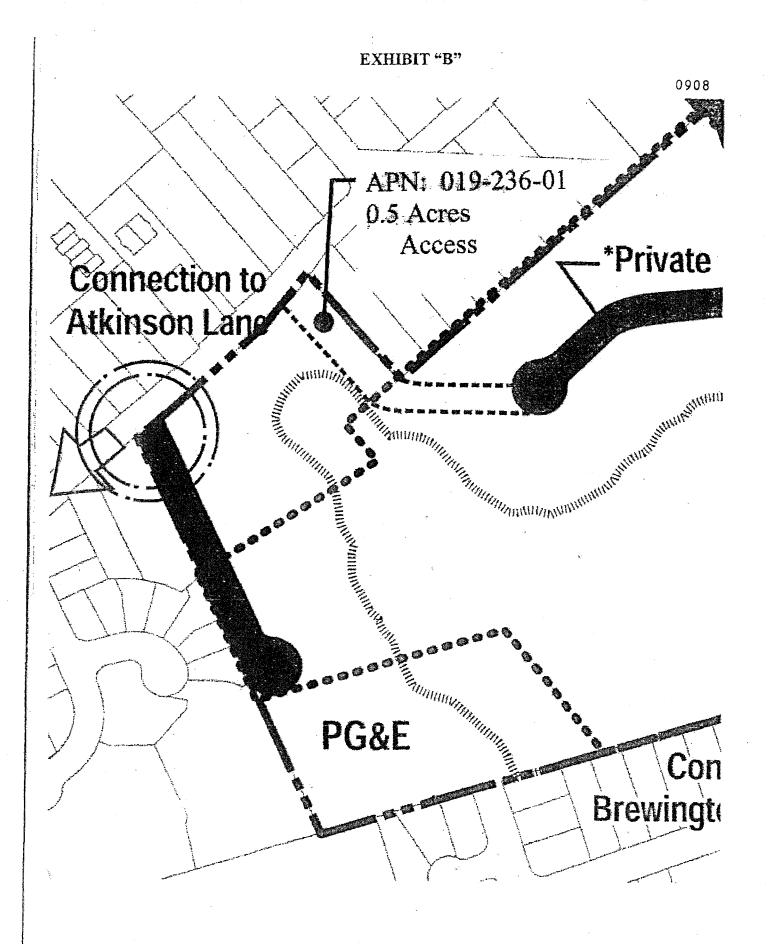
EXHIBIT "A": Map of City/County Project

EXHIBIT "B": Depiction of Secondary Access for County Project

EXHIBIT "A"









COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060 (831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123 TOM BURNS, PLANNING DIRECTOR

June 1,2007

APPROVED AND FLED BOARD OF SUPERVISORS

AGENDA DATE: June 12,2007

Board of Supervisors County of Santa Cruz 701 Ocean Street Santa Cruz, CA 95060 COUNTY OF SANTA CATE
SUCAN A. MAURELLO
EX-OFF SED CLERK OF THE BOARD
BY WELL DEPUT:

Subject: Status Report on Housing Rezoning Program and Atkinson Lane MOU with the City of Watsonville

Members of the Board:

Last November your Board approved a new Housing Element for the County. A key policy contained in the document – which led to certification by State HCD – was the rezoning of a minimum of 30 acres for higher density housing. In December of 2006 your Board, after considerable public testimony, selected a list of candidate sites for the rezoning program. An additional site was added in February of this year. (A list of those sites is included in Attachment 2.) On your last agenda you considered and conceptually approved proposed changes to the General Plan and Chapters 13.10 and 17.10 of the County Code to create the regulatory structure for proceeding with this unique rezoning program. The purpose of this report is to give you an update on the status of the parcel-specific rezoning efforts.

Overview of Activities

Since the sites were selected last December, staff has been focusing on a number of key areas, including:

- Gaining a better understanding of individual site constraints and available acreage of each site;
- Working with land owners to obtain authority to access the sites;
- Developing technical information to evaluate the sites through the environmental review process (including traffic, noise and biotic evaluations); and
- Developing a better understanding of how the environmental review process will
 operate within the unique regulatory structure of the rezoning program.

In the intervening months much work has been accomplished. As a result, staff anticipates completing the initial round of initial studies early this summer, with public hearings on the first rezoning proposals to take place this fall. It is anticipated that individual rezoning proposals will be processed in several different packages over the latter part of the year, with the goal of completing all rezonings, with the exception of the Atkinson Site, by the end of the year.

Atkinson Status and MOU

At the time that the Atkinson Lane Site was being considered by the Board as a candidate site for the rezoning program, representatives of the City of Watsonville raised significant concerns about the County's activities interfering with future annexation plans of the City, which they are planning, consistent with the voter-approved Measure U. While the Board ultimately selected the Atkinson Site for the candidate list, staff was directed to work with City representatives to explore whether an approach would be developed for proceeding the rezoning that benefited both the City and County.

In February of this year, staff provided your Board with a status report on those efforts and an overall goal for developing a Memorandum of Understanding (MOU) that would guide a joint City-County effort to plan for development of the larger Measure U site, including the portion proposed for rezoniing by the County. That report indicated that the hope was that the MOU would reflect the goals of each entity, define a process for proceeding with the planning and environmental analysis of the overall site, and provide a method for sharing the costs of those activities.

We are pleased to submit to you the outcome of those efforts, in the form of an MOU (Attachment 1). Both City and County staff believe that this document provides a clear process for working together towards a mutually beneficial outcome on the site and for the community. Once the MOU is approved, City and County staff will work together to bring forward a number of future actions, including appointees to a Technical Advisory Committee, financing for the planning component, and a contract and financing for completing the EIR for the site.

Conclusion/Recommendation

While there is still much work remaining to develop an overall plan for use of the Atkinson Site, development of the attached MOU represents a major step forward for both the City of Watsonville and County in working together for the best long-term development of this important site. The City will also be considering the MOU at their meeting on June 12, 2007.

It is therefore RECOMMENDED that your Board take the following actions:

- 1. Accept and file this report on the site-specific rezoning efforts;
- 2. Authorize the County Administrator to sign the attached MOU; and
- 3. Direct the Planning Director to report back, as appropriate, as efforts proceed on the Atkinson Lane project.

Sincerely,

Tom Burns

Planning Director

RECOMMENDED:

Susan A. Mauriello

County Administrative Officer

Atkinson Lane Housing MOU Board of Supervisors Agenda: June 12,2007 Page No. 3

0911

Attachments:

- 1. Proposed MOU
- 2. List of Candidate Rezoning Sites
- cc. City of Watsonville City Manager Atkinson Site landowners

ATKINSON LANE MEMORANDUM OF UNDERSTANDING

0912

THIS MEMORANDUM OF UNDERSTANDING is made and entered into this

12th day of June ,2007, by and between the County of Santa Cruz, hereafter referred to as "County" and the City of Watsonville, hereafter referred to as "City", together referred to hereafter as the "Parties".

RECITALS

WHEREAS, on November 5, 2002 the voter initiative, Measure U, formulated by Action Pajaro Valley and titled the "Watsonville Urban Limit Line and Development Timing Initiative", was approved by the voters of the City. Measure U amended the City's General Plan for the purpose of defining a new Urban Limit Line (ULL) and directing future growth areas and development phasing within the ULL; and

WHEREAS, Measure U identifies Future Growth Area B on a site off Atkinson Lane (illustrated in Attachment 1), hereafter referred to as "Site", and specifically designates the property for residential development for up to 600 units with a minimum of 50 percent of the units restricted for affordable workforce housing; and

WHEREAS, a majority of the Site is located outside the current City limits and two parcels (APNs 048-211-25 & 048-221-09), hereafter referred to as "County Site" (illustrated in Attachment 1), are located within the County Urban Services Line, an area defined in the County General Plan for more urban residential densities, and also within the City's Sphere of Influence; and

WHEREAS, prior to any development of the Site within the City, the City would need to apply for and receive approval from Santa Cruz Local Agency Formation Commission (LAFCO) for annexation of that land into the City – an action that the City has not yet initiated; and

WHEREAS, Measure U calls for the development of a Specific Plan for the portion of the site to be developed in the City and states that no discretionary approvals occur prior to January 1,2010, yet there are no such process requirements or time constraints imposed on development which could occur on any portion of the Site in the unincorporated area prior to its annexation to the City; and

WHEREAS, the County, at the direction from the State Department of Housing and Community Development, has identified seven potential sites throughout the unincorporated area to rezone for higher density residential uses (20 unitslacre) in order to comply with requirements of its Housing Element and State Housing Law (including 40% affordability), and one of those sites includes the portion of the Site within the County's Urban Services Line ("County Site"); and

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ATTACHMENT 1.

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WHEREAS, the County's Housing Element requires that 200 units of housing be built at 20 units/acre on 10 acres of the County Site, with State law imposing penalties, as part of the next housing element cycle, if this site is not appropriately rezoned before the beginning of the next housing element cycle; and

WHEREAS, the County, through its RedevelopmentAgency, has the financial resources needed to assist in financing required affordable housing on the site, which could assist the City in meeting its 50% affordable workforce housing requirement under Measure U; and

WHEREAS, the City and County have determined that it is in their mutual interests to jointly plan for the development of the entire Site, recognizing that a portion would be permitted by the County and developed in the unincorporated area (County Site) and the remainder would be permitted by the City and developed in a future annexation area within the City, hereafter referred to as the "City Expansion Area"; and

WHEREAS, such a joint plan is envisioned to provide the basis for the orderly development of the Site under both the City and County jurisdictions, including: the location of housing types and units with affordability restrictions, thorough identification and financing of required infrastructure to serve the Site and address off-site impacts, consideration of neighborhood concerns, and protection of environmental resources on the Site.

WHEREAS, such a plan can also provide for an orderly phasing of development and annexations, to take maximum advantage of what both the County and City can offer to provide the best project on the Site.

NOW, THEREFORE, in consideration of the mutual promises and conditions contained herein, the Parties agree to the following:

1. Atkinson Lane Development Plan

- a. City and County agree to work together in the development of an overall development plan for the site (hereafter referred to as "Plan"), which would include: the overall roadway layout, the location of housing types, identification of units with affordability restrictions; the location of possible parks and schools to serve the area; thorough identification and financing of required infrastructure to serve the Site and to address off-site impacts; consideration of neighborhood concerns; protection of environmental resources on the Site; and specific development guidelines.
- b. As a result of the Housing Element requirements imposed by the State on the County, which include rezoning the County Site to allow 200 housing units at 20 unitslacre, and the City's need to provide housing capacity to

0914

address its projected needs for the next housing element cycle (as called out in the City's current General Plan), overall goals for the Plan have been established in advance, as follows:

- (1) The Site, per the City's General Plan, is not to exceed a total of 600 residential units.
- (2) The County Site, comprising approximately 16 gross acres of land area, is proposed to include 200 multi-family units, with a mix of rental and "for sale" units. Density to be a minimum 20 unitslacre. Units will accommodate a range of income levels from very low to moderate to market rate with the goal of 80% of the units being deed restricted with long-term affordability covenants. Affordability is to be based upon County ordinance provisions, but using Watsonville's Median Income levels, currently set at 70-percent of County Median Income.
- (3) The Plan is to include a mix of housing units, both for income levels from very low to market rate housing and for housing types including both rental and ownership housing.
- (4) The Plan is to be developed with input from a wide range of community interests to ensure that the future development addresses diverse, long-term community needs, while integrating with the surrounding neighborhood.
- (5) Environmental impacts are to be thoroughly addressed in an Environmental Impact Report (EIR), which is to meet the regulatory needs of both the City and County as the various aspects of land use approvals occur in the future for the Site.
- (6) The City and County are to develop a mutually agreeable plan for jointly financing required infrastructure to serve the Plan area and surrounding neighborhood.
- c. The development of the Plan will include extensive public input, including advisory input from a Technical Advisory Committee (TAC), with the purview and membership jointly determined by the City Council (50% of members) and Board of Supervisors (50% of members). It is understood that the TAC will not have the authority to revise the goals for the Plan (as stated in Section b. above) without approval of the City Council and Board of Supervisors, where appropriate.
- d. Because the City and County have different structures for their respective development review and approval process, the Plan will include separate

implementation measures for the area within each jurisdiction, as identified by staff from each of the jurisdictions. The portion of the Plan developed for implementation within the City will, at a minimum, meet the Measure U and General Plan requirement for a Specific Plan. The portion developed for implementation within the County will, at a minimum, include specific General Plan and Zoning changes, such as a Planned Unit Development (PUD) designation, to guide future development projects.

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- e. City and County agree that the City will assume the role of lead agency for the Plan, including drafting a scope of work, circulating a Request for Proposals (RFP), and other related administrative work. The City and County agree, however, that any major decisions on the Plan process and contents must be mutually agreed upon, including the final scope of work for the RFP, selection of the contractor, negotiation of contractor fees, the structure of the public participation element of the process, and the Plan contents. Staff from both the City and County will work together to achieve agreement on these issues.
- f. City and County agree to provide copies of planning, building and environmental information on any of the parcels within the Site, as requested by the consultant preparing the Plan.
- g. The County agrees to fund 50% of the consultant's cost of preparing the Plan, up to a maximum of \$100,000 of County funds. Such funds will be provided to the City periodically during the planning process, based on invoices for completed work.
- h. The City agrees to make all reasonable efforts to release the RFP within 90 days of the date of execution of this MOU.

2. California Environmental Quality Act (CEQA) Compliance

- a. City and County agree that, given the scope of the project and related potential environmental impacts, an Environmental Impact Report (EIR) will be prepared to evaluate the Plan. Furthermore, it is advantageous for both Parties that an EIR be developed in a manner that can be used by both the City and County during their respective land use, development review and approval processes.
- b. County will assume the role of lead agency for the EIR, including preparation of the initial study, conducting a scoping meeting in Watsonville, circulating Request for Proposals (RFP), and other related administrative work. The City and County agree, however, that any major decisions on the EIR process must be mutually agreed upon, including the



ATTACHMENT 1

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final scope of work for the EIR, selection of the contractor, negotiation of contractor fees, selection of project alternatives, acceptance of the Draft and Final EIR, and the structure of the public participation element of the process. Staff from both the City and County will work together to achieve agreement on these issues.

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- c. City and County agree to provide copies of planning, building and environmental information on any of the parcels within the Site, as requested by the consultant preparing the EIR.
- d. The City agrees to fund 50% of the consultant's cost of preparing the EIR, up to a maximum of \$100,000 of City funds. Such funds will be provided to the County periodically during the planning process, based on invoices for completed work.
- e. The County agrees to initiate the RFP process as early as practical in the planning process, in consultation with City staff. City and County staff will jointly agree to a timeline for guiding development of the EIR process.
- 'f. To the extent practical, the EIR will identify project impacts and related mitigations for each of the specific components of the Site County Site and City Expansion Area and identify joint impacts of the County and City portion of the proposed development. City and County will define how to reasonably share in mitigation and monitoring costs where there are shared impacts.

2. Master Plan Implementation and EIR Certification

- a. As the lead agency on the EIR, the County will be the initial entity to certify the EIR, once a final document has been produced.
- b. The EIR will be utilized by the County for the General Plan amendments, rezoning, and development actions on the County Site and will be utilized by the City for the annexation, Specific Plan and related development projects on the City Expansion Area.
- c. Once the the EIR is certified, City and County agree to independently pursue development of their respective portions of the Site the County Site and City ExpansionArea in a manner consistent with the Plan and EIR.
- d. As part of that process, City and County intend to formally agree on how to cost-share and otherwise cooperate in the construction of project infrastructure and mitigation measures that mutually benefit the portions of the Site to be independently developed under the City and County.

ATTACHMENT 1 :

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Disposition of development impact fees charged by both the City and County would be one component of that discussion, along with funding of required off-site improvements identified in the Plan and/or EIR as necessary to serve the development of the Site and/or to mitigate significant environmental impacts.

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- e. City and County agree that cost-sharing or other approved mechanism is to be on a per unit basis, proportionate to the number of units within each respective area (County Site and City Expansion Area) except as otherwise mutually agreed upon by the City and County.
- f. City and County recognize that there could be litigation related to any stage of the project, including the EIR. Parties agree, in the event of litigation on the Plan and/or EIR, to meet and confer on how best to approach such lawsuits and share the costs for such litigation.

3. Development on County Site (APNs 048-211-25 & 048-221-09)

- a. City and County agree that, under the terms of this Agreement, it is intended that the portion of the Site included on APNs 048-211-25 & 048-221-09 will be developed under the County's land use regulatory system (County Site), in a manner consistent with the Plan and EIR.
- b. City and County agree that it is a goal for the Plan to include a substantial portion of the affordable units to be constructed on the Site specifically within County Site, given the location of the properties within the Site and the County's ability to provide financial assistance as needed to ensure long-term affordability of the housing units.
- c. City agrees to provide "will serve" letters and, ultimately appropriate utility services, for the developments proposed on either or both parcels within County Site, provided that the development project(s) are consistent with the Plan and EIR.
- d. In the event that the Plan, EIR, and needed County General Plan/rezoning actions are not completed in a time frame that would allow the development of these properties before the start of the next Housing Element cycle, the City and County acknowledge that 100% of the development capacity of these two parcels will be counted by the County towards its "fair share" housing requirements and not by the City.

4. Annexation of City Expansion Area

a. City and County both acknowledge the City's interest in annexing the Site, consistent with Measure U. Furthermore, the City and County agree that



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ultimate annexation of the Site is in the interest of both parties. However it would be premature for either Party to anticipate the success of that effort, given that annexation is subject to a process outside this agreement and approval is by an entity not party to this Agreement. Nonetheless, this Agreement lays out the process for proceeding with development of the Site, in the event that such annexation is ultimately approved by LAFCO.

0918

- b. City, consistent with the requirements of Measure U and the General Plan, plans to adopt a Specific Plan for the City Expansion Area. City agrees to ensure that the Specific Plan is consistent with the Plan produced through this Agreement.
- c. City and County acknowledge the City's interest in counting the development potential for the City Expansion Area towards its next "fair share" housing requirements from the next Housing Element cycle. The County agrees to support the City in counting 100% of the development capacity of the City Expansion Area parcels.
- d. City agrees to pursue a two phase annexation with the Santa Cruz Local Agency Formation Commission (SCLAFCO); Phase One to include City Expansion Area, Phase Two to include County Site. The County agrees to support the City's efforts to process the annexation in two phases, and to the extent requested, participate in negotiations with SCLAFCO on the phased annexation.
- e. City and County agree that annexation of the County Site (Phase Two) will not take place until the County has completed financing for the project (if any) and inspections and signoff of all building permits for development projects within the County Site. In the event SCLAFCO does not support the phased annexation, the County agrees that the City, at its sole discretion, may purse annexation of the entire Site starting on January 1, 2012, even if no development has taken place on the County Site.

5. Effect of MOU

Upon execution of this MOU, County and City will work, in good faith, to achieve all the objectives of this MOU. Unless and until all required approvals are effective and all required actions as described in this MOU have been completed, any party may withdraw from any further discussions, negotiations or activities associated with this MOU, upon thirty (30) days written notice to the non-withdrawing party. The withdrawing party shall be responsible for its pro-rata share of all costs resulting from the obligations incurred pursuant to this MOU prior to the date of withdrawal. By executing this MOU, County and City confirm that the provisions of this MOU represent







the basic and fundamental elements of the understanding of the County and City regarding all matters addressed in this MOU.

This MOU may not be altered, amended, or modified, except in a written document that is executed by duly authorized representatives of the City and County. This MOU sets forth the understanding among the parties hereto as to the subject matter set forth herein. This MOU will be governed by and construed, enforced and performed in accordance with the law of the State of California.

The parties agree to the provisions of this MOU by having their authorized agents sign below

Carlos J. Palaciós City Manager

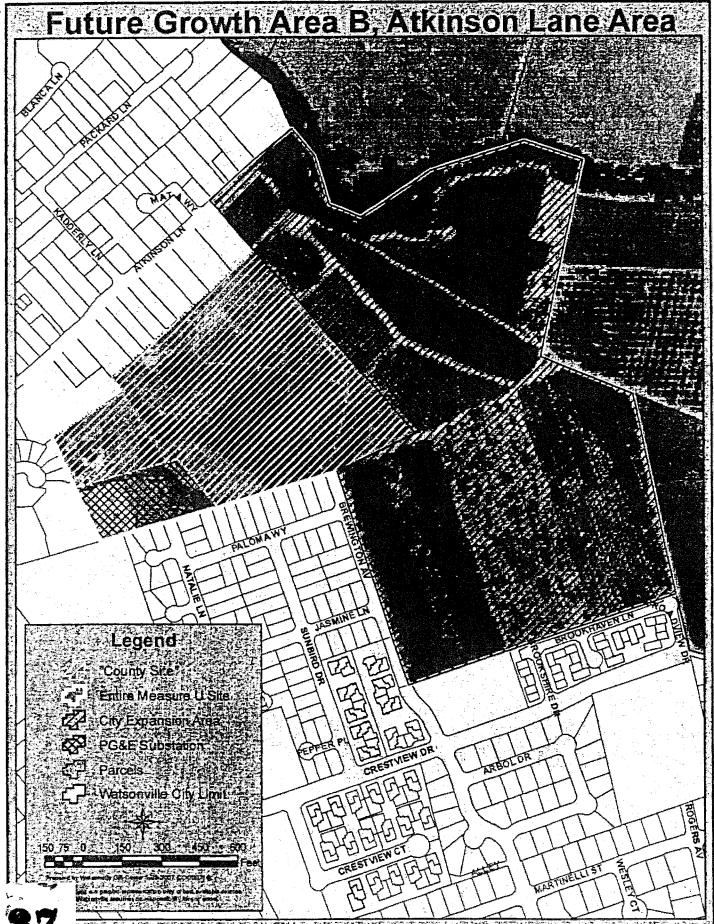
Approved as to Form City Attorney

Attest:

City Clerk

Susan Mauriello
County Administrator

Approved as to Form County Counsel



ATTACHMENT 2

Sites Designated for Rezoning to -R Combining Zone District

Site Name	APN	Street Address	Supervisorial District	Acreage
7 th Avenue	026-211-19	1175-12557 th Avenue	3 - Coonerty	3.1
	026-211-20		*	
	026-211-22			
	026-211-26			
Nigh	029-021-47	5940 Soquel Ave	1 - Beautz	5.0
Erlach	037-101-02	3250-3420 Cunnison	1 - Beautz	5.1
	037-061-66	Lane		
	037-061-04			
Atlee	037-161-15	3085 Porter Gulch Rd	2 - Pirie	3.8
Miller	039-471-09	7839 Soquel Drive #A	2 - Pirie	2.1
Minto	051-511-35	Minto Road	4 - Campos	4.41
Atkinson	048-211-25	56 Atkinson Lane	4 - Campos	10.0
	048-221-09			
			TOTAL	32.71

ATTACHMENT 2



BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. 154-2009

On the motion of Supervisor:

Pirie

Duly seconded by Supervisor:

Leopold

The following resolution is adopted:

RESOLUTION TO CERTIFY THE ENVIRONMENTAL IMPACT REPORT PREPARED FOR THE ATKINSON LANE SPECIFIC PLAN/PLANNED UNIT DEVELOPMENT

WHEREAS, the Final Environmental Impact Report was completed in full compliance with the California Environmental Quality Act (CEQA); and

WHEREAS, the Final Environmental Impact Report reflects the independent judgment and analysis of the County Planning Department and the Board of Supervisors; and

WHEREAS, the Board has reviewed and considered the information contained in the Final Environmental Impact Report.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors certifies the Final EIR and adopts the Mitigation Monitoring and Reporting Program.

PASS	SED AND ADOPTEL) by the Boa	rd of Supervisors of the County of Santa Cruz,
California, tl	nis 9th day of	June	,2009 by the following vote:
AYES: NOES:	SUPERVISORS SUPERVISORS	Leopold, None None	Pirie, Stone, and Coonerty

ABSENT: SUPERVISORS None

ABSTAIN: SUPERVISORS Campos

. NEAL COONERTY

Chairperson

ATTEST: TESS FITZGERALD

Clerk of the Board

APPROVED AS TO FORM:

County Counsel

Cc: Cc

County Counsel Planning Department

COUNTY OF SANTA CRUZ)

1. SUSAN A. MAURIELLO, County Administrative

Officer and ex-efficio Clerk of the Board of Supervisors of the County of Santa Cruz. State of California do hereby certify that the foregoing is a true and correct copy of the resolution pessed and adopted by and entered in the minutes of the

set my hand and Board on June

SUSAN A/M _____Administrative Officer

By Sharm Mitchelpepury



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BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA"

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RESOLUTION NO. 155-2009

On the motion of Supervisor: Pirie
Duly seconded by Supervisor: Leopold
The following resolution is adopted:

RESOLUTION APPROVING GENERAL PLAN AMENDMENTS,
A REZONING, A RIPARIAN EXCEPTION AND A PLANNED UNIT DEVELOPMENT PERMIT
TO CHANGE PARCELS (APNS 048-211-25 and 048-221-09) FROM RESIDENTIAL, URBAN LOW
DENSITY DESIGNATION TO RESIDENTIAL, URBAN HIGH DENSITY AND
URBAN OPEN SPACE DESIGNATIONS WITH A PUD,

WHEREAS, the Housing Element of the Santa Cruz County General Plan was adopted by the Board of Supervisors in November of 2006 and certified by the State of California Department of Housing and Community Development in December of 2006; and

WHEREAS, one of the goals of the County General Plan, and more specifically the Housing Element, is to designate sufficient land to be developed at a density prescribed by the State of California to fulfill our obligation for low- and very-low-income households; and

WHEREAS, Programs 1.1 Rezoning Program (20 units per acre) and 1.2 Selection and Rezoning of Sites of the Housing Element call for the rezoning of 30-32 acres of land to be developed at a density of 20 units per developable acre as a by-right use; and

WHEREAS, the Board of Supervisors, in order to implement the Housing Element's rezoning program, established the Regional Housing Need "-R" Combining Zone District with the purpose to "...increase the supply of affordable housing by designating sites for development at 20 units per acre in order to meet the requirements of the Regional Housing Needs Allocation..."; and

WHEREAS, the Board of Supervisors identified several sites encompassing 30-32 acres in total as candidates for rezoning to the Regional Housing Need "-R" combining zone district, including the housing site between Atkinson Lane and Brewington Avenue, APNs 048-211-25 and 048-221-09, also known as the Atkinson Lane Site ("Site"); and

WHEREAS, the designation of higher density housing on the Site requires the General Plan land use designation be changed to allow the higher density, a Planned Unit Development to establish the basic development standards and incorporate CEQA mitigations for fbture by-right development on the site, and a rezoning to identify the site as one of the Regional Housing Need "-R" sites and as a multifamily residential site; and

WHEREAS, the Findings based on the Final Environmental Impact Report prepared for this proposal, as required under CEQA, can be made as attached; and

WHEREAS, the Findings for a Planned Unit Development Permit, as set forth in County Code Sections 18.10.230 and 18.10.183, to establish development standards and incorporate environmental mitigation measures can be made as attached; and

0924 ATTACHMENT 4

WHEREAS, the Findings for a Riparian Exception to reduce the required wetland buffer from 100 feet to 50 feet, and to permit certain restoration-related construction activities in the riparian area of the wetland on site can be made as attached; and

WHEREAS, the Planning Commission held a duly noticed public hearing and has considered the proposed Rezoning, General Plan Amendment, PUD and all testimony and evidence received at the public hearing; and

WHEREAS, the proposed General Plan Amendments will be consistent with the policies of the General Plan and other provisions of the County Code, is appropriate to the level of utilities and community services available to the property, is necessary to fulfill the County's Housing Element of the General Plan, and is in compliance with the provisions of the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED, that the proposed Rezoning, General Plan Amendment, Riparian Exception and PUD serve a public benefit; and

BE IT FURTHER RESOLVED, that the Board of Supervisors approves the proposed rezoning set forth in Attachment 2, a General Plan Amendment to change the land use designation for APNs 048-211-25 and 048-221-09 from Residential, Urban Low Density to Residential, Urban High Density and Urban Open Space, the Planned Unit Development Permit, Development Permit, Riparian Exception, and CEQA Findings as set forth in Attachment 5, and the Planned Unit Development Permit set forth in Attachment 3 and incorporated herein by reference.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, California, this 9th day of June, 2009 by the following vote:

AYES:

SUPERVISORS

Leopold, Pirie, Stone and Coonerty

NOES:

SUPERVISORS

None

ABSENT:

SUPERVISORS

None Campos

ABSTAIN:

SUPERVISORS

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NEAL COONERTY

Chairperson

ATTEST: TESS FITZGERALD

Clerk of the Board

APPROVED AS TO FORM:

1 1/1/1/1

Cc:

County Counsel

Planning Department

STATE OF CALIFORNIA

COUNTY OF SANTA CRUZ

COUNTY OF SANTA CRUZ \ SS

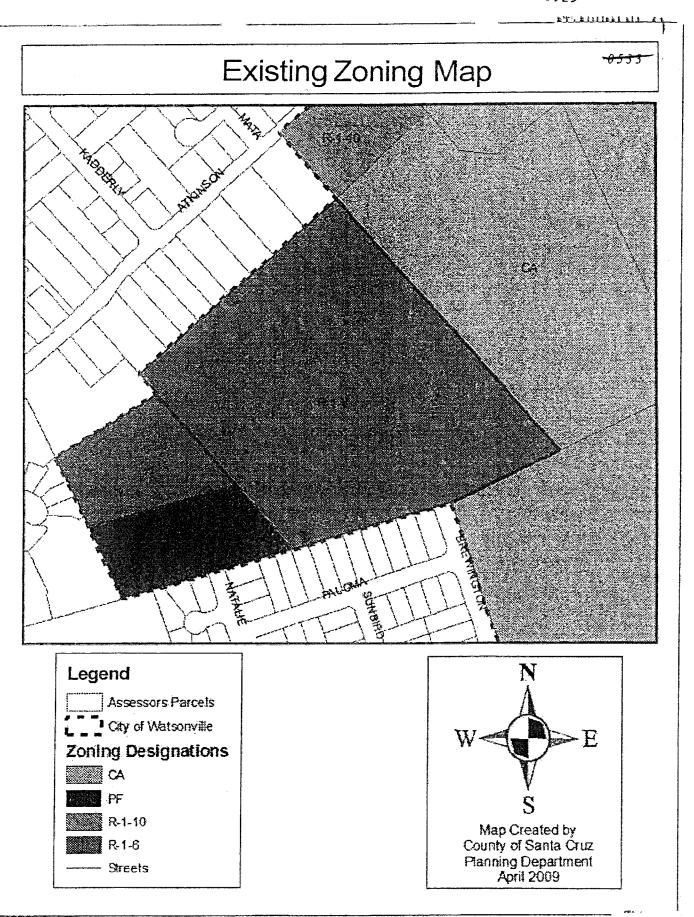
1. SUSAN A. MAURIELLO, County Administrative

Officer and ex-efficio Clerk of the Board of Supervisors of the County of Santa Cruz, State of
Cahfornia do hereby certify that the foregoing is
a true and correct copy of the resolution passed
and adopted by and entered in the minutes of the
said board. In witness whereof I have hereunto
set my hand and affixed the seal of the said
Board on 2009

SUSAN A MAURIELLO, County

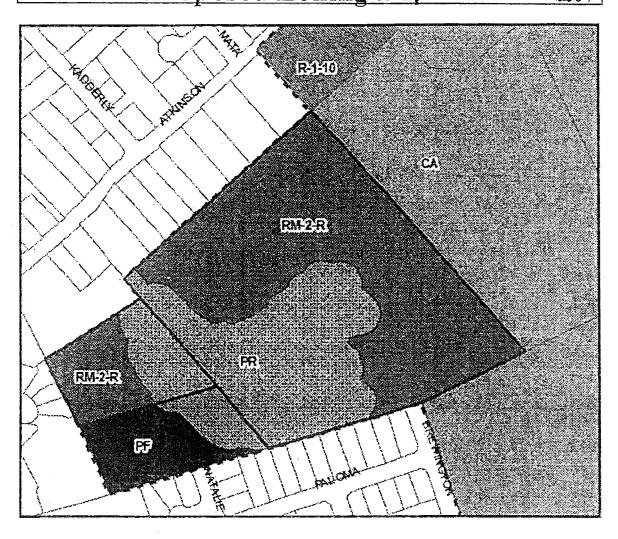
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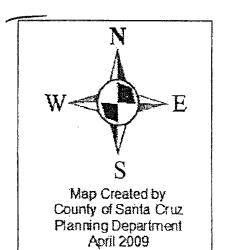
Proposed Zoning Map

A 522

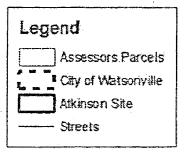


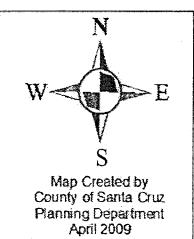
Legend

Assessors Parcels
City of Watsonville
Streets
Atkinson Site









ATTACHMENT 5 1

0	RD	INA	NCE	NO.	5047	

ORDINANCE AMENDING CHAPTER 13.10 OF THE SANTA CRUZ COUNTY CODE CHANGING APNS 048-211-25 AND 048-221-09 FROM THE R-1-6 ZONE DISTRICT TO THE RM-2-R AND PR ZONE DISTRICTS

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The Board of Supervisors finds that the public convenience, necessity and general welfare require the amendment of the County Zoning Regulations to implement the policies of the County General Plan regarding the property listed in Section III of this ordinance; finds that the zoning established herein is consistent with all elements of the Santa Cruz County General Plan; and finds and certifies that all environmental regulations specified in the California Environmental Quality Act, the State and County Environmental Guidelines, and Chapter 16 of the County Code have been complied with by the preparation and certification of an Environmental Impact Report for the project.

SECTION II

The Board of Supervisors hereby adopts the recommendations of the Planning Commission for the Zoning Plan Amendment as described in Section III, and adopts their findings in support thereof without modification as set forth below:

- 1. The proposed zone district will allow a density of development and types of uses which is consistent with the objectives and land use designations of the adopted General Plan; and
- 2. The proposed zone district is appropriate for the level of utilities and community services available to the land; and
- 3. The proposed rezoning is necessary to provide for a community-relateduse which was not anticipated when the Zoning Plan was adopted.

SECTION III

Chapter 13.10, Zoning Regulations of the Santa Cruz County Code is hereby amended by amending the County Zoning Plan to change the following property from the existing zone district to the new zone district as follows:



	APN	Recorded Zoning	New Zoning
2	048-211-25	R-1-6	RM-2-R, PR
3	048-221-09	R-1-6	RM-2-R, PR

SECTION IV

SECTIONTY				
PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz this				
AYES: NOES: ABSENT: ABSTAIN:	SUPERVISORS SUPERVISORS SUPERVISORS SUPERVISORS	Pirie, None None Campos	Leopold, Stone and Coonerty	
	,	CH.	NEAL COONERTY AIRPERSON, BOARD OF SUPERVISORS	
ATTEST: Cle	TECC I II ZGE erk of the Board	RALD		
APPROVED AS TO FORM: County Counsel				

Copies to: Planning

County Counsel

Atkinson PUD 5/26/2009

ORDINANCE NO. 5048

*0137

ORDINANCE GRANTING A PLANNED UNIT DEVELOPMENT AS ALLOWED BY SANTA CRUZ COUNTY CODE RELATING TO ESTABLISHMENT OF DEVELOPMENT STANDARDS FOR APNS: 048-211-25,048-221-09

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

A Planned Unit Development is hereby granted to the property located between Atkinson Lane and Brewington Avenue, in the Pajaro Valley Planning Area, also known as the Atkinson Lane Housing Site, and shown on Exhibit A attached hereto and subject to the conditions shown on Exhibit B, attached hereto.

SECTION II

The Board of Supervisors hereby adopts the recommendations of the Planning Commission for the Planned Unit Development as described in Section I, and adopts their findings in support thereof without modification as set forth below:

- 1. That the proposed location of the uses are in accordance with the objectives of the County Code and the purposes of the district in which the site is located.
- 2. That the proposed location of the Planned Unit Development and the conditions under which it would be operated or maintained will not be detrimental to the public's health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
- 3. That the proposed Planned Unit Development will comply with each of the applicable provisions of Chapter 18.10 of the County Code.
- 4. That the standards of dwelling unit density, site area and dimensions, site coverage, yard spaces, heights of structures, distances between off-street loading facilities and landscaped areas will produce a development that is compatible with and integrated into the surrounding built and natural environment consistent with the objectives of the County Code.
- 5. That the standards of dwelling unit density, site coverage, yard spaces, heights of structures, distances between structures, off-street parking, and off-street loading facilities will be such that the development will not generate more traffic than the streets in the vicinity can carry and will not overload utilities.
- 6. That the combination of different dwelling and/or structure types and the variety of land uses in the development will complement each other and will harmonize with existing and proposed land uses, structures, and the natural environment in the vicinity.
- 7. That the degree of departure from the required development and density standards is roughly proportional to the benefits provided to the neighborhood and/or the community in which the Planned Unit Development is located.



Atkinson PUD 5/26/2009

8. That the proposed development is consistent with the General Plan/Local Coastal Program Land Use Plan.

SECTION III

The Board of Supervisors hereby adopts the recommendations of the Planning Commission for the Development Permit as described in Section I, and adopts their findings in support thereof without modification as set forth below:

- That the proposed location of the project and the conditions under which it would be 1. operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.
- 2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.
- 3. That the proposed use is consistent with all elements of the County General Plan and with any Specific Plan which has been adopted for the area.
- 4. That the proposed use will not overload utilities, and will not generate more than the acceptable level of traffic on the streets in the vicinity.
- 5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.
- 6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chanter.

SECTION IV

This ordinance shall become effective 31 days after adoption.

PASSED AND ADOPTED this 9th day of June 2009 by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES:

SUPERVISORS

Pirie, Leopold, Stone and Coonerty

NOES:

SUPERVISORS

None None

ABSENT:

SUPERVISORS

ABSTAIN:

SUPERVISORS

Campos

Atkinson PUD 5/26/2009

ATTACHMENT 6

NEAL COONERTY

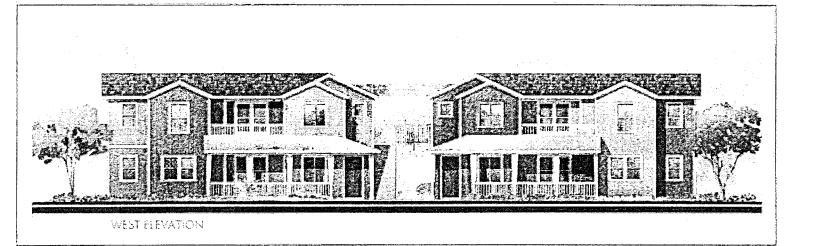
0932

Chairman of the Board of Supervisors

Attest: <u>TESS_FITZGERALD</u> Clerk of the Board

APPROVED AS TO FORM

NEIGHBORHOOD MEETING NOTICE



MidPen Housing Corporation invites you to a public forum regarding Pippin Apartments, a new 46-unit residential community located at 56 Atkinson Lane, Watsonville. The purpose of the meeting is to provide you with information on the design of the project prior to our submission of our application for design review approval. Representatives of MidPen and the design team will be available to answer questions and receive your input regarding issues related to the project design. The meeting will have an open house format and refreshments will be provided.

Where: I.S.T.W. Portuguese Hall

124 Atkinson Lane Watsonville, CA 95076

When:

Thursday, August 29th 5:00 - 7:30 pm

Who:

Neighbors of Pippin Apartments and other interested residents

If you have any questions, please contact Cynthia Iwanaga at (831) 707-2143 (<u>ciwanaga@midpen-housing.org</u>) or Kate Smith at (831) 707-2131 (<u>ksmith@midpen-housing.org</u>).

If you are unable to attend but have input or questions in regard to the project, feel free to contact Cynthia or Kate.

Si tiene preguntas en español, por favor comuníquese con Carlos Jurado al (831) 707-2138. Traducción en español será disponible durante la Junta si es necesario.





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MEMO:

To:

Kathy Previsich – Santa Cruz County Planning Dept

Alice Daly - Santa Cruz County Planning Dept.

From:

Cynthia Iwanaga and Kate Smith – MidPen Housing

Date:

September 5, 2013

RE:

Report -- Pippin Neighborhood Mtg -- August 29th 2013

CC:

Greg Caput – Santa Cruz County Board of Supervisors

Consistent with County Code Section 18.10.211, MidPen Housing held a neighborhood meeting on August 29th 2013 in connection to the Pippin Project. This report provides a summary result of the neighborhood meeting.

PROJECT SUMMARY

Name:

Pippin ("Project")

Location:

56 Atkinson Lane, Watsonville ("Property")

Description:

46-unit rental community for low-income families

NEIGHBORHOOD MEETING SUMMARY

Date/Time:

August 29th 2013, 5:00 - 7:30 p.m.

Location:

ISTW Portuguese Hall, Watsonville

Distribution:

Meeting notification flyer, mailed to a total of 71 property owners and residents located within a 300 ft. radius of the exterior boundaries of the

Project parcel

Attendance: 5 neighbors attended as well as City and County staff as well as MidPen

staff and consultants

Mtg.Format:

Neighborhood meeting was held in the ISTW Portuguese Hall. The meeting was a town hall format, with tables set up around the hall for MidPen Property Management, MidPen Resident Services, and the

Pippin design team which consists of the architect, landscape architect, and civil engineer. Neighbors walked around the hall and spoke with staff and consultants at each table where they were given informational

handouts and any questions were answered.

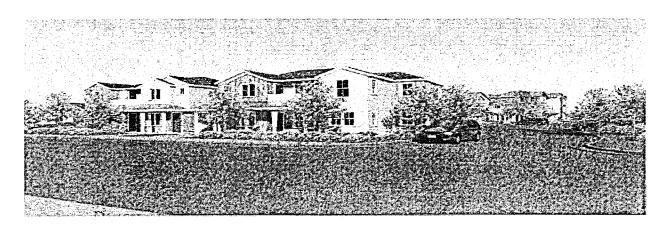
Materials Used: Picture Boards, Handouts





Pippin Apartments

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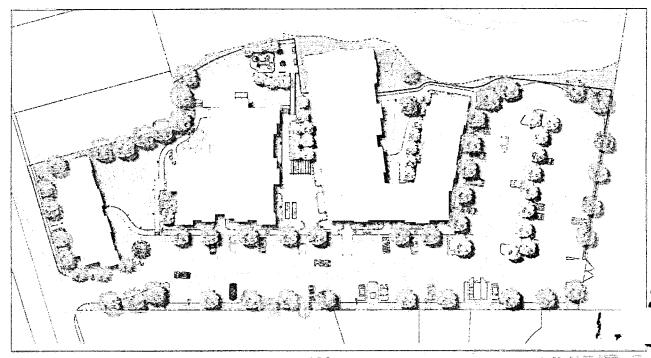


Pippin Apartments is a 46-unit family apartment complex affordable to very-low income and low-income families with six units set aside for residents with special needs. Up to 26 units may be set aside for farm worker families if funding is available.

Bedroom Type	Number of Units	Est. Rent Range	Est. Income Range
1 Bedroom	3	\$441-\$788	\$24,990 to \$41,650
2 Bedroom	29	\$527-\$944	\$29,970 to \$49,950
3 Bedroom	14	\$607-\$1,088	\$34,410 to \$57,350

There will be 119 parking spaces for the 46 apartments, in compliance with City and County standards.

Amenities include a tot lot, open space lawn area, community garden beds, community room and kitchen, and after-school classroom.



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Questions from Neighborhood Meeting:

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1. Is there capacity in the existing schools to accommodate the children from Pippin Lane?

MidPen staff met with the Pajaro Valley Unified School District to discuss the Pippin Apartments. MidPen shared information from our recent lease-up of Schapiro Knolls Apartments. At Schapiro Knolls, over 95% of the families who moved in were already living in Watsonville with children already attending PVUSD schools. Using this information, we were able to provide the District with a projection for the number of anticipated school age children that would live at Pippin Apartments.

The closest elementary school to the Pippin Apartments is HA Hyde Elementary School. Based on our projection of 54 school age children that would be anticipated to move in to Pippin Lane, District Staff indicated that there would be sufficient capacity for the children at this school.

2. How will the residents fit into the neighborhood? Will there be overcrowding in the units? Will they take care of the property?

MidPen Property Management Corporation, an affiliated management company. Every prospective resident is screened for credit, landlord references and criminal background. MidPen Property Management follows strict occupancy limits per unit that are enforced by our staff and required by our lenders. In addition, all residents must adhere to house rules which require residents to maintain their units and be good neighbors. There will be a management office on site during the day and a resident manager who will live at the property and be available after business hours. MidPen Property Management has been in existence since 1981 and manages over 6,400 units of housing.

Typical residents of MidPen apartments in Watsonville are employed by local companies such as Driscoll, Elkhorn Packing, Fox Racing, Earthbound Farms and others. There will be a preference in the leasing of units for families who live or work in Santa Cruz County. If required by the City, this preference could be extended to families who live or work in Watsonville as well.

3. Will residents take up our street parking on Atkinson Lane?

There will be 119 parking spaces on site for the 46 units which complies with County and City parking requirements. Depending upon apartment size, residents will be assigned one to two parking spaces with over 23 guest parking spaces. Management will work with residents to insure there is no impact to the existing street parking on Atkinson Lane.







4. Why aren't you building single family homes on this property?

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The County identified this property as one of six sites in the County for multi-family affordable housing. In the City of Watsonville's Atkinson Lane Specific Plan, they also identified this site as a potential multi-family site. Pippin Apartments is consistent with the way the property was planned by the County and the City.

5. Does the site plan provide open space for kids to play?

There are several open spaces on site. The main open space area will have a tot lot adjacent to an open lawn area. I'm confirming the square footage of this area. Throughout the complex, there will be community garden beds for planting and benches along pathways.

6. Will local residents have a preference to live at Pippin Apartments?

The County will require that preference be given to residents who live or work in the County of Santa Cruz. The City of Watsonville may also require a preference for residents who live or work in Watsonville.

7. Will this project bring construction jobs to Watsonville residents?

MidPen hires general contractors to build our projects through a competitive selection process. We require our general contractors to post the construction job in the local builder's exchange and will encourage them to solicit bids from all qualified local subcontractors.

8. What hours will the project be under construction?

Construction hours for our current projects are typically 7:30 a.m. to 4:30 p.m. We anticipate similar hours for Pippin Apartments. We know that construction can be disruptive to neighbors and require that our general contractors be courteous to neighbors by minimizing parking on the street and cleaning up any debris left on the street by construction traffic at the end of each work day.

9. How will the traffic from the Pippin Apartments affect the current Atkinson Lane residents? The Gardner Avenue and Freedom Blvd. intersection light often backs up in the morning.

We updated the traffic study included in the Environmental Impact Report, originally certified in 2009. This report concluded that the development of the Pippin Lane project would not require any specific traffic mitigations to be installed at this time, but the project will be required to pay traffic impact fees to help fund the installation of future traffic improvements as required by the EIR.





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If you have any questions, please contact Cynthia Iwanaga at (831) 707-2143 (<u>ciwanaga@midpen-housing.org</u>) or Kate Smith at (831) 707-2131 (<u>ksmith@midpen-housing.org</u>).

Si tiene preguntas en español, por favor comuníquese con Carlos Jurado al (831) 707-2138.

ATTACHMENTS

- 1. Notification Flyer
- 2. Flyer Distribution Lists
- 3. Meeting Presentation Materials
- 4. Meeting Attendance List

01921520 AO WU PHILIP & KAO LI CHUAN H/W C 1866 MAIN ST

WATSONVILLE CA 95076

01921521 AO
TRINDADE FILOMENA F W/H JT ETA
P O BOX 446
GUSTINE CA 95322

01922607 AO GREEN REV GLEN W ETAL TRUSTEES P O BOX 206

01922621 AO MELGOZA MARTIN U/M ETAL 49 BLANCA LN #507 WATSONVILLE CA 95076

WATSONVILLE CA 95077

01922624 AO
GUTIERREZ ERNESTO & MARIA DOLO
50 THOMAS RD
WATSONVILLE CA 95076

01922627 AO
NEGRETE EFRAIN HW JT ETAL
110 GERN COURT
WATSONVILLE CA 95076

01922629 AO MARTINEZ NANCY M/W SS 190 SEQUOIA GROVE BEN LOMOND CA 95005

01922634 AO
MANCILLAS ALFREDO SM ETAL
P O BOX 8412
SANTA CRUZ CA 95061

01922635 AO
PAJARO VALLEY SHELTER SERVICES
115 BRENNAN ST
WATSONVILLE CA 95076

01922636 AO
SANTA CRUZ COUNTY HOUSING AUTH
2931 MISSION ST
SANTA CRUZ CA 95060

01922638 AO WATSONVILLE CITY OF 240 WESTGATE DR WATSONVILLE CA 95076

01922642 AO 56 ATKINSON LANE ASSOCIATES LL 24650 GLENWOOD DR LOS GATOS CA 95033

01922544 AO
BECHTEL ELIZABETH DEBRUHL
13 CROW AVE
WATSONVILLE CA 95076

01923602 AO
HAMMILL TIM M & GUADALUPE H/W
P O BOX 1743
FREEDOM CA 95019

01926323 AO HERNANDEZ BERNARDO V & ENEDINA P O BOX 577 FREEDOM CA 95019

01926335 AO MERCADO JOSE G & JULIA C H/W J 635 ORCHARD ST WATSONVILLE CA 95076

01991101 AO INDEPENDENCE SQUARE HOUSING CO 1355 MADISON ST WATSONVILLE CA 95076

04821124 AO
PACIFIC GAS & ELECTRIC CO
P O BOX 770000
SAN FRANCISCO CA 94177

04821125 AO MID-PENINSULA THE FARM INC 303 VINTAGE PARK DR #250 FOSTER CITY CA 94404

04822109 AO LAMB BRUCE R TRUSTEE TO ETAL 27231 LOST COLT DR LAGUNA HILLS CA 92653 01921501 OO NORTHCUTT MARK & ALTA HAW CP R 202 MEGHANN CT WATSONVILLE CA 95076

01921502 OO · ESPINOZA JESUS & CRISTINA CO-T 208 MEGHANN CT WATSONVILLE CA 95076

01921503 OO MEDINA GERMAN J M/M SS ALL JT 214 MEGHANN CT WATSONVILLE CA 95076

01921516 00 COZZENS PAUL F CO-TRUSTEES ETA 145 PALOMA WAY WATSONVILLE CA 95075

01921517 OO MEDRANO ABEL P & MARIA G TRUST 135 PALOMA WAY WATSONVILLE CA 95076

01921518 OO
FINK RAYMOND & PATRICIA TRUSTE
125 PALOMA WAY
WATSONVILLE CA 95078

01921519 QO BAJOG ALEXIS Q U/W 115 PALOMA WAY WATSONVILLE CA 95076

01921522 OO ROCHA ESTHER TRUSTEES 1210 NATALIE LN WATSONVILLE CA 95076

01922606 OO GARCIA NICOLAS G & ANITA M H/W 44 ATKINSON LN WATSONVILLE CA 95076

01922620 OO REYES NORBERTO J & DELFINA H/W 75 ARISTA LN WATSONVILLE CA 95076

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01922622	00	01923615	00	01922635	1R
VICTORY NELIA M S/W		CHOATE CALD	ONIA GIBSON TRUSTEE	Resident	
83 ARISTA LN		88 ATKINSON I	_N	62 ARISTA CT	
WATSONVILLE CA 95076		WATSONVILLE CA 95076		WATSONVILLE CA 95076	
		v *			
01922623	00	01926211	00	01922636	1R
AGUILERA VERONICA M/W SS		COSIO MICHAE	ELR & MARGARET B	Resident	
87 ARISTA LN		53 ATKINSON I	.N	50 ARISTA CT	#C
WATSONVILLE CA 95076		WATSONVILLE	CA 95076	WATSONVILLE	CA 95076

01922625 00	01926221	00	01922836	1R
BRICENO LUIS R & REYNA H/W JT	FERREIRA JOEL & CATIA H/W JT		Resident	
95 ARISTA LN	51 ATKINSON LN		50 ARISTA CT #N	
WATSONVILLE CA 95076	WATSONVILLE CAS	5078	WATSONVILLE CA 9	5076

01922626 00	0192 6 222 OO	01922636 1R
VARGAS ANTONIO & MARIA J H/W J	RIVERA REINA S/W AS JT ETAL	Resident
40 ATKINSON LN	49 ATKINSON LN	50 ARISTA CT #D
WATSONVILLE CA 95076	WATSONVILLE CA 95076	WATSONVILLE CA 95076

01922628	00	01926223	00	01922636	1R
SCHAEFER JASON	H & ALMITA H/W	ARELLANO BONIFA	CIO L SUCCESSSO	Resident	
90 ARISTA LN		47 ATKINSON LN		50 ARISTA CT#P	
WATSONVILLE CA	95076	WATSONVILLE CA	95076	WATSONVILLE CA	95076

01922630	00	01991101	00	01922636	1R
FERNANDEZ JOSE R HW JT ETAL		INDEPENDENCE S	QUARE HOUSING CO	Resident	
82 ARISTA CT		1355 MADISON ST		50 ARISTA CT #B	
WATSONVILLE CAS	35076	WATSONVILLE CA	95078	WATSONVILLE CA	95076

01922631	00	01922607	1R	01922636	1R
BELMONTES J	ESUS HAVETAL JT	Resident		Resident	
78 ARISTA CT		48 ATKINSON L	,N	50 ARISTA CT#	‡A
WATSONVILLE	CA 95076	WATSONVILLE	CA 95076	WATSONVILLE	CA 95076

01922643 00 0	1922632 1R	01922638 1R
ROSZELL GLORIA SUCCESSOR TRUST	lesident	Resident
68 ATKINSON LN 7	4 ARISTA CT	50 ARISTA CT #O
WATSONVILLE CA 95076 V	VATSONVILLE CA 95076	WATSONVILLE CA 95076

01923612	00	01922633	1R	01922636	1R
AGUADO ANTONIO	R & MARIA M HIP	Resident		Resident	•
84 ATKINSON LN	*	70 ARISTA CT		50 ARISTA CT#	1
WATSONVILLE CA 9	5078	WATSONVILLE (CA 95076	WATSONVILLE	CA 95076

WATSONVILLE CA 95078	WATSONVILLE CA 95076	WATSONVILLE CA 95076	
01923613 00	01922634 1R	01922636 1R	
GOLDMAN JAMES H & BONNIE J TRU	Resident	Resident	
104 ATKINSON LN WATSONVILLE CA 95076	66 ARISTA ÇT WATSONVILLE CA 95076	50 ARISTA CT #E WATSONVILLE CA 95078	



01922636

18

04821125

Resident

Resident

50 ARISTA CT #H WATSONVILLE CA 95076

56 ATKINSON LN WATSONVILLE CA 95076

1R

01922636

1R

Resident

50 ARISTA CT #F

WATSONVILLE CA 95076

01922636

1R

Resident

50 ARISTA CT #M

WATSONVILLE CA 95076

01922636

18

Resident

50 ARISTA CT#G

WATSONVILLE CA 95076

01922636

1R

Resident

50 ARISTA CT#J

WATSONVILLE CA 95076

01922636

18

Resident

50 ARISTA CT #K

WATSONVILLE CA 95076

01922636

1R

Resident

50 ARISTA CT #L

WATSONVILLE CA 95076

01922639

1R

Resident

51 ARISTA LN

WATSONVILLE CA 95076

01922642

1R

Resident

56 ATKINSON LN

WATSONVILLE CA 95076

01923601

18

Resident

78 ATKINSON LN

WATSONVILLE CA 95076



Pippin Apartments - Neighborhood Meeting

August 29, 2013

				A LINEAU HALL TO A CONTROL OF THE ACCOUNT OF THE AC
	Name	Address	Phone Number	E-mail
6648P:	Vianay Guerrero	W Atkinson un	831.539.42	Viquerero @gmant. Con
	MARCELA TAVANTIK	city of wats	768-200	Marcela Tavantzis e City of watson ville or DOEL FERRO IRAR Mail Ja
eleitere'	DESCRIPTION OF THE PROPERTY OF	SI ATKINSON LA	707-4778.	City of watson ville or
	M			
16世纪	Resna Land	19- Atkinson Lu W.	831-3459 5047	
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100000	Louis Horst	Matsonulle coty Ha	//	
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Dennis Ben Land Agent Land Management

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831-784-3526 (Office) DBB6@pge.com 356 E Alisal St. Salinas, CA 93901

February 14, 2014

Mr. Robert Loveland County of Santa Cruz Planning Department 701 Ocean Street, 4th Floor Santa Cruz, CA 95060

Re:

Pippin Apartments

Application #131265; APN #048-211-25

Dear Mr. Loveland:

This letter confirms that PG & E has reviewed preliminary plans to move the driveway entrance for the PG& E Erta Substation approximately 20 feet east of its current location. This letter confirms that PG&E will give MidPen Housing Corporation permission to work on our property to complete the construction of the new driveway entrance and to adjust the grades on PG&E's property to work with the new driveway entrance.

If you have any questions, please do not hesitate to call me at (831) 784-3526.

Sincerely,

Dennis Ben Land Agent



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060 (831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123 KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR

SUBJECT:

MITIGATION OF TRAFFIC IMPACTS FOR ATKINSON PUD

TO:

MEMO TO FILE

FROM:

KATHY PREVISICH, PLANNING DIRECTOR

DATE:

APRIL 14, 2014

BACKGROUND

On June 12, 2007, the City and County entered into an Memorandum of Understanding, referred to as "2007 MOU", to jointly oversee the planning and environmental review process for a group of properties (the "Atkinson Lane Project") primarily located in the unincorporated area of the County, but also in the Future Growth Area B under the City's Measure U (an initiative approved by city voters to govern future development).

As a result of that effort, an Environmental Impact Report (EIR), Planned Unit Development (PUD), and Specific Plan were prepared to address the scope of the then-proposed project of approximately 450 residential units, including identification of impacts and mitigation measures, as well as requirements for impact fees to be paid to the County and City, and a municipal services mitigation payment to be made to City by any developers of affordable rental projects.

On June 9, 2009 the final EIR was certified by the County, in conjunction with County approval of a General Plan Amendment, Rezoning, and Planned Unit Development for a 16-acre portion of the property. However, as a result of litigation and a Settlement Agreement that was executed in 2011 between the Santa Cruz County Farm Bureau, the County of Santa Cruz, and the City of Watsonville, the City did not proceed with adoption of a Specific Plan for the remaining 50 acres of the Atkinson project site area.

TRAFFIC IMPACTS AND MITIGATIONS IN 2009 EIR

With regard to traffic impacts, the 2009 EIR evaluated a number of intersections that would be affected by the Atkinson Specific Plan and PUD project, some located in the City and some located in the County. The 2009 traffic impact and mitigation measure analysis identified the level of Atkinson project(s) "fair share contributions" that would be needed toward costs of implementing the traffic improvements required as mitigations. A fair share analysis was not done for cumulative impacts such as the traffic signal at East Lake and Wagner Avenues. The 2009 EIR acknowledged that payment of

impact fees to the City and County would be expected to cover the levels of identified fair share contributions. There were certain improvements that were identified as necessary to be implemented prior to occupancy. The EIR also indicated a need for the City and the County to coordinate on the payment of impact fees and other financial mechanisms needed to ensure adequate facilities and services to the Atkinson project area.

CURRENT MIDPEN PROJECT, AND FUTURE PROJECT(S) IN COUNTY ENTITLEMENTS AREA

MidPen Housing has proposed a 46-unit affordable rental housing project for two parcels that are allowed to be considered for development; one parcel is in the City and the other in the County. As CEQA Lead Agency, the County has prepared an Addendum to the EIR in order to reflect the terms of the Atkinson Settlement Agreement, to address the Modified Project, and to update and allocate the mitigation measures to the current MidPen 46-unit project and to future projects within the County Entitlements Area.

UPDATED TRAFFIC IMPACTS AND MITIGATIONS IN 2014 ADDENDUM TO EIR

For the 2014 Addendum, the traffic study was updated to reflect the Modified Project. Staff also prepared the attached chart that lists each of the traffic improvements required as mitigation measures (top portion of chart), and did a calculation of the levels of impact fees (bottom portion of chart, and based on current fee schedules) that would be paid to each of the jurisdictions assuming that all units on county lands paid the traffic impact fees to the County, and units on the city parcel paid traffic impact fees to the City.

The 2009 EIR cost estimates for the identified traffic improvements was based on 2008 construction costs. Attached to the end of this Memo is a graph that shows how those costs have changed, from their high in 2008 to a level that is about 18% lower, reflecting the Great Recession and the continued post-recession lull in construction activity. Therefore the 2014 Addendum adjusts the cost numbers for the fair share analysis.

On the attached chart, "Phase 1a" is the current 46-unit MidPen project, and "Phase 1b" is the remainder of development potential within the County Entitlements Area, assumed to occur while the land remains in the county unincorporated area. The calculation of the "fair share contribution" levels that the Phase 1a MidPen project would be responsible for is \$22,380. The level of impact fees that the MidPen project will pay to the City for 20 units is \$32,600, and it will pay a total of \$109,200 to the County. Therefore, it was concluded that payment of impact fees by MidPen to the City and the County will satisfy the mitigation requirements for the MidPen project for each of the identified improvements, and no fair share payments are required – just payment of the impact fees of each jurisdiction.

The approach taken for the remainder of the planning area, for future units that would be paying impact fees, was to assign MM's to being (primarily) a city, county, or project applicant responsibility, as summarized below.



Project-Level Requirements of Applicant. The MM 3.13-11a Freedom at Crestview and MM 3.13-12b Brewington Avenue Traffic Calming improvements were made project applicant responsibilities which must be implemented prior to occupancy and cannot be credited against impact fees due.

Cumulative Impact on City Intersection, to be assigned 50% to Atkinson Projects and 50% to City. The 2009 and 2014 traffic studies did not prepare "fair share analyses" for the East Lake/Wagner traffic signal. That is an improvement needed to address a cumulative impact, and more projects than the Atkinson project would have fair share responsibilities toward that improvement. Nonetheless, the approach of the EIR Addendum and MOU was to have Atkinson units within the county pay one-half of the estimated cost of the project. That is the source of the \$664 per unit that the County would provide to the City for the 200 unit development potential on county lands within the County Entitlements Area (\$664 x 200 units = \$132,800). Note that \$664 is a correction of an earlier \$603 level.

Intersections Within or "Assigned" to County of Santa Cruz. MM 3.13-5 East Lake/Holohan, as well as MM 3.13-6 Hwy 1 Ramps/Harkins Slough and MM 3.13-8 Airport/Larkin Valley/Hwy 1 NB Ramps/Larkin Valley, were assigned to the County (although the City and Caltrans will collaborate on the projects involving Highway 1 Ramps). County impact fees cover the "fair share contributions" needed from the Atkinson projects for these three improvement projects. Furthermore, the level of the impact fees paid to the County that are not specifically flagged for meeting fair share contributions for the two improvements involving Highway 1 ramps, would be dedicated to the MM 3.13-5 East Lake/Holohan improvements.

Intersections Within or "Assigned" to City of Watsonville. MM 3.13-7 Airport Blvd at Freedom Blvd was assigned to the City. The Atkinson project has a "fair share contribution" of \$38,308 toward the cost of that improvement, and it was assumed that the \$32,600 of city impact fees collected, based on the 20 units within the City at the city's current fee levels, would be applied toward meeting that fair share contribution. The City would not receive sufficient funding from its impact fees to meet the fair share contribution, being short by \$5,708 (or \$29 per unit based on the 200 unit development potential in the County). This deficit is addressed through a contribution from the County as described below.

County Payment of Portion of County Impact Fees Collected to the City of Watsonville. The MM 3.13-8 Airport/Larkin Valley/Hwy 1 impact fees are referenced in the Addendum and MOU as being "shared", in that the County will provide to the City \$130 per unit of its transportation impact fees for the 200 units on county lands within the County Entitlements Area, as project(s) occur. Thirty (\$30) of that amount is to cover the above "deficit" in the fair share contributions that are needed for the above Airport/Freedom project. The other \$100 per unit is intended to generate an additional \$20,000 for the City of Watsonville to assist with costs of working with the City and Caltrans on the two improvement projects that involve Hwy 1 ramps. The County's impact fees cover the fair share contributions needed from the Atkinson project(s) in the county for those two Hwy 1 Ramp projects, and \$20,000 of the county's impact fees above and beyond those fair share amounts would be provided to the City to assist with covering city costs of being involved with those two projects. For the MidPen project, this will mean \$3,380 of the County's transportation impact fee will be provided to the City. For the remaining 174 units of development potential within the county, an additional \$22,620 would be provided to the City from the transportation impact fees the County collects, as development occurs in the future.





Search FHWA



0947

Office of Highway Policy Information

National Highway Construction Cost Index (NHCCI)

ंद्रश्चिमिक्क र <u>National Historiay Construction Cost Index (NECC)</u> र Construction Cost Trends For Higher open Table सान

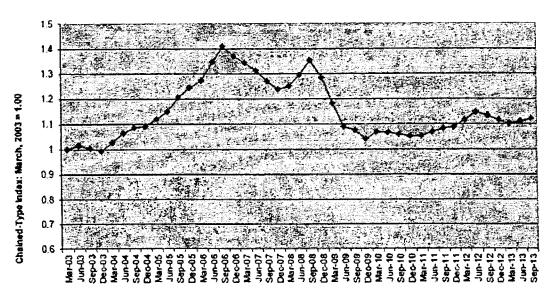
Construction Cost Trends For Highways 11

September 2013

Table PT-1

Year	Quality	NHCCI Index
	Nersh	1.0000
2003	June	1.0156
2003	Saptember	1.0038
	December	0.9929
	March	1.0260
2004	june	1.0638
2004	September	1.0849
	December	1,0910
	[84arch	1.1189
	Jane	1.1489
2005	September	1.2045
	:December	1.2429
The second second second	March	1.2727
	June	1.3464
2006	September	1.4084
	December	1,3693
entire of the comment	March	1,3425
	June	1.3118
2007	September	1.2691
	December	1.2363
·	March	1.2500
	June	1.2938
2008	September	1.3521
	December	1.2835
	March	
	Water	1.1818
2009	June	1.0901
2003	September	1.0752
	December	1,0410
	March	1.0383
2010	June	1.0671
	September	1.0555
9-7-7-19 -19-19	December	1.0520
	March	1.8524
2011	June	1.0691
2011	September	1,5817
	December	1,0880
	March	1,1147
2040	June	1,1468
2012	September	1,1315
	December	1.5148
	March	1.1002
2442	* • •	4 400





211

1/ Source: Federal Highway Administration, Office of Highway Policy Information, "National Highway Construction Cost Index (NHCCI)" 2/ The 2013 4th quarter index will be released during the 1st week of May 2014.

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Federal Highway Administration | 1200 New Jersey Avenue, SE | Washington, DC 20590 | 202-366-4000

Samantha Haschert

From:

Melodye Serino

Sent:

Friday, April 11, 2014 4:48 PM

To:

'Jimmy Moresco'

Cc:

Kasey Kolassa; John Presleigh; Samantha Haschert; Julie Conway;

'steve palmisano@cityofwatsonville.org'

Subject:

trash at Atkinson Lane

Jim: Thanks so much for taking the time to meet with me regarding the Atkinson Lane Housing Project and the trash service. This is just to confirm our conversation whereby you agreed to let the City of Watsonville service the entire complex, including the portion that resides in the unincorporated County. We are very appreciative of your collaboration on this matter. It will certainly make it less confusing for the residents within the complex to have trash service provided by one provider. Thanks again.

Melodye Serino Director of Administrative Services Department of Public Works 831-454-2378

BEFORE THE PLANNING COMMISSION OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. 2014-05

0950

On the motion of Commissioner Garcia duly seconded by Commissioner Dann the following Resolution is adopted:

PLANNING COMMISSION RESOLUTION SENDING RECOMMENDATION TO THE BOARD OF SUPERVISORS

WHEREAS, in October 2006, the County Board of Supervisors approved a new Housing Element for the County which included a key policy that required the rezoning of a minimum of 30 acres for higher density housing; and

WHEREAS, in November 2006, the Atkinson Planning Area consisting of County Assessor's Parcel Numbers (APNs) 048-211-25 and 048-221-09 was selected by the County Board of Supervisors as a candidate site for the rezoning program; and

WHEREAS, in 2002, the residents of the City of Watsonville approved voter initiative Meausre U, the "Watsonville Urban Limit Line and Development Timing Initiative" which defined a new Urban Limit Line (ULL) area and allowed for the planning and development of future growth areas, including the Atkinson Planning Area; and

WHEREAS, on June 12, 2007, the City and County entered into an Memorandum of Understanding to jointly oversee the planning and environmental review process for a group of properties primarily located in the unincorporated area of the County, but also in the Future Growth Area B under the City's Measure U; and

WHEREAS, as a result of that effort, a Planned Unit Development (PUD) was prepared to plan for future development to occur by-right on County APN's 048-211-25 and 048-211-09, and a City Specific Plan was developed to plan for future development on City APN's 019-226-42, 019-226-43, 019-226-44, 019-236-01 and County APN's 048-231-01, 048-231-17, 048-231-18, and 048-251-09; and

WHEREAS, in accordance with Section 15063 of the CEQA Guidelines, the County of Santa Cruz determined that an Environmental Impact Report (EIR) would be necessary for the proposed project; and

WHEREAS, in accordance with Section 15082(a) of the CEQA Guidelines, a Notice of Preparation (NOP) was circulated for a 30-day public review and comment period commencing on August 1, 2008 and concerns raised in response to the NOP were considered during preparation of the Draft EIR; and

WHEREAS, a Draft EIR was completed and the County filed a Notice of Completion (NOC) with the State Office of Planning and Research in accordance with Section 15085 of the CEQA

Guidelines to begin a 45-day review and comment period commencing on August 9, 2009; and

0951

WHEREAS, concurrent with the NOC, the County provided a public notice of the availability of the Draft EIR for public review in accordance with Section 15087(a) of the CEQA Guidelines and invited comments from the general public, Responsible Agencies, organizations, and other interested parties; and

WHEREAS, in accordance with Section 15088 of the CEQA Guidelines, the County evaluated comments on environmental issues received during the noticed comment period from persons who reviewed the Draft EIR and prepared written responses; and

WHEREAS, the Final Environmental Impact Report (EIR) consisting of the Draft EIR and responses to comments and errata was prepared pursuant to the California Environmental Quality Act (CEQA: Public Resources Code §21000 et seq.) to analyze the environmental impacts of the project consisting of the development of 450 units under the PUD and City Specific Plan; and

WHEREAS, on June 9, 2009 the Final EIR was certified by the County, in conjunction with County approval of a General Plan Amendment, Rezoning, Planned Unit Development, and Riparian Exception for County parcels 048-211-25 and 048-211-09 (Ordinance #5047 and #5048). While a draft Specific Plan had been prepared for the City's consideration, it was not acted upon by the City; and

WHEREAS, on July 8, 2009, the Farm Bureau filed a petition for a Writ of Mandate against the County, City and others with regard to certification of the EIR. As a result of this litigation, a Settlement Agreement was reached in 2011 between the Farm Bureau, the County, and the City; and both the City and County agreed that the EIR would not be used in connection with any action or proposal to develop or annex any, all or portions of the Specific Plan Area not included within the County Entitlements, and the City agreed that nothing in the County Approvals includes approval of the Specific Plan, or the EIR covering the Specific Plan area; and

WHEREAS, the Settlement Agreement does allow the City to rely upon the EIR and to approve development involving two parcels currently located within the City, as they are intended to be incorporated into project(s) authorized by the County Entitlements (Ordinance #5047 and #5048); and

WHEREAS, the Settlement Agreement defines the County Entitlements Area to include the following APNs:

COUNTY ENTITLEMENTS AREA

(within existing City of Watsonville Sphere of Influence)

019-226-42	52 Atkinson Lane	MidPen Housing parcel within City of Watsonville
019-236-01	78 Atkinson Lane	Lamb parcel within City
048-211-25	56 Atkinson Lane	MidPen Housing parcel within County
048-221-09	no site address	Lamb parcel within County

; and

WHEREAS, the Settlement Agreement requires "Modification to the Approvals" to consist of modifications to the approved PUD and the certified EIR; and



WHEREAS, the County, acting as the Lead Agency, concluded that the proposed project would not result in any new impacts not previously disclosed in the Final EIR for the Atkinson Lane Specific Plan and PUD Project and would not result in a substantial increase in the magnitude of any significant environmental impacts preciously identified in the EIR. In addition, the County concluded that there are no new or newly feasible mitigation measures or alternatives that would substantially reduce significant effects of the project but which the project proponents decline to adopt. For these reasons, an Addendum to the Final Environment Impact Report for the Atkinson Lane Specific Plan and PUD project has been prepared for the proposed project in accordance with CEQA Guideline Sections 15164 and 15162, to include modifications to the project area and to the original project phasing described by the EIR to limit the planning area to the "County Entitlements Area" as per the terms of the Settlement Agreement; and

WHEREAS, MidPen Housing (MidPen) has, with the benefit of a loan from the County's Redevelopment Agency, acquired APN 048-211-25 within the County's jurisdiction, and has purchased with its own funds APN 019-226-42 within the City's jurisdiction. Together, these two adjoining properties create a stand-alone developable project site within the County Entitlements Area that is allowed under the Settlement Agreement to be considered for approval. An application for Design Review of the MidPen housing project was received by the County on September 26, 2013; and

WHEREAS, MidPen has designed a cohesive 46-unit project consisting of 26 units on APN 048-211-25 located in the County and 20 units on APN 019-226-42 located in the City, and has submitted applications for Design Review from the County and for a discretionary Planned Development (PD) entitlement from the City as concurrent actions; and

WHEREAS, because the 46-unit MidPen affordable housing project straddles the City and County boundary, a Memorandum of Understanding was prepared to address how building plan checks and inspections will occur and to designate the distribution of development impact fees and municipal services mitigation payments, and to designate the jurisdiction responsible for services to the 46-unit MidPen development project; and

WHEREAS, the Planning Commission held a public hearing on Application No. 131265 on April 23, 2014 involving property located on the south side of Atkinson Lane, about 1,000 feet east of the intersection with Freedom Boulevard in Watsonville, and the Planning Commission has considered the proposed development, all testimony and evidence received at the public hearing, and the attached staff report; and

WHEREAS, the Planning Commission finds, on the basis of the whole record before it, that there is no substantial evidence that the project will have a significant effect on the environment, and that the Certified EIR and 2014 Addendum to the EIR reflect the independent judgment and analysis of the County of Santa Cruz; and

WHEREAS, the material which constitutes the record of proceedings upon which the Planning Commission's decision is based shall be located in the offices of the Planning Department located at 701 Ocean Street, Santa Cruz, California.

NOW, THEREFORE, BE IT RESOLVED, the Planning Commission of the County of Santa Cruz does hereby recommend to the Board of Supervisors the following:

1. Consideration of the 2009 EIR and 2014 EIR Addendum, and find that on the basis of the whole record before it, that there is no substantial evidence that the project will have a significant effect on the environment, and that the Certified EIR and 2014 Addendum to the EIR reflect the independent judgment and analysis of the County of Santa Cruz.

0953

- Adoption of the Amendment to Ordinance #5048. 2.
- Approval of Application No. 131265, based on the Findings of compliance with 3. the Planned Unit Development #5048 and the project Conditions of Approval, attached hereto as Exhibits A and B.
- 4. Adoption of the Amended Mitigation Monitoring and Reporting Program.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this 23rd day of April, 2014, by the following vote:

AYES:

COMMISSIONERS Guth, Hemard, Shepherd, Garcia and Dann

NOES: ABSENT:

None COMMISSIONERS

COMMISSIONERS None

ABSTAIN:

COMMISSIONERS None

Ken Hart, Secretary





County of Santa Cruz Planning Commission Minutes

0954

Planning Department, 701 Ocean Street, Suite 400, Santa Cruz, CA 95060

Meeting Date: Wednesday, April 23, 2014 9:00 AM

Location: Board of Supervisors Chambers, Room 525

County Government Center

701 Ocean Street Santa Cruz, CA 95060

VOTING KEY

Commissioners: Chair Shepherd, Vice Chair Hemard, Garcia, Dann, Guth

Alternate Commissioners: Holbert, Lazenby, Aramburu, Jones

REGULAR AGENDA ITEMS

1. Roll Call

Commissioners present: Chair Renee Shepherd, Vice-Chair Casey Hemard, Commissioner Rachel Dann, Commissioner Martin Garcia and Commissioner Michael Guth.

- 2. Additions and Corrections to Agenda
- 3. Declaration of Ex Parte Communications
- 4. Oral Communications

CONSENT ITEMS

5. Approval of Minutes

To approve the minutes of the April 9, 2014 Planning Commission meeting as submitted by the Planning Department.

ACTION: Approve the minutes of the April 9, 2014 Planning Commission meeting as submitted by the Planning Department.

MOTION/SECOND: Hemard/ Garcia

AYES: Guth, Hemard, Shepherd, Garcia, and Dann

NOES: None ABSTAIN: None ABSENT: None

CONTINUED ITEMS

6. 131323 160 Lakeview Road, Watsonville

APN: 051-741-05

Proposal to recognize 9,000 cubic yards of fill. Requires a Preliminary Grading Approval.

Property located on the east side of Lakeview Road (160 Lakeview Road), approximately 2,000 feet south from College Road in Watsonville.

SUPERVISORIAL DISTRICT: 4

PROJECT PLANNER: Kent Edler, 454-3168 EMAIL: Kent.Edler@santacruzcounty.us

ACTION: Item continued a date uncertain and staff directed to return with an amended application including documents resulting from environmental review.

APN: 030-241-20, -22

APN: 048-211-25

MOTION/SECOND: Hemard/ Garcia

AYES: Guth, Hemard, Shepherd, Garcia and Dann

NOES: None ABSTAIN: None ABSENT: None 0955

SCHEDULED ITEMS

7. 131291 2850 Capitola Avenue, Soquel

Proposal to transfer approximately 5,400 square feet from APN 030-241-20 to APN 030-241-22, and to divide the resulting APN 030-241-20 into four lots with a remainder parcel. Requires a Lot Line Adjustment, Minor Land Division, Roadside Exception, and a Soils Report Review.

Property located on the east side of Capitola Avenue, approximately 200 feet south of Soquel Drive in the Soquel planning area. (2850 Capitola Avenue).

SUPERVISORIAL DISTRICT: 1

PROJECT PLANNER: Randall Adams, 454-3218 EMAIL: Randall.Adams@santacruzcounty.us

ACTION: Adopt staff recommendation.

MOTION/SECOND: Guth/ Dann

AYES: Guth, Hemard, Shepherd, Garcia, Dann

NOES: None ABSTAIN: None ABSENT: None

8. 131265 56 Atkinson Lane, Watsonville

Proposal to complete the design review requirement for the construction of 26 affordable, residential, rental units, with associated improvements, in conformance with Planned Unit Development (PUD) # 5048. Requires Level VII Design Review.

Property located on the south side of Atkinson Lane approximately 960 feet east of the intersection with Freedom Blvd.

SUPERVISORIAL DISTRICT: 4

PROJECT PLANNER: Samantha Haschert, 454-3214 EMAIL: Samantha.Haschert@santacruzcounty.us

ACTION: Adopt staff recommendation.

MOTION/SECOND: Garcia/ Dann

AYES: Guth, Hemard, Shepherd, Garcia, Dann

NOES: None ABSTAIN: None ABSENT: None

9. 111131

4740 Soquel Drive, Soquel	APNs: 030-153-24
4700 Soquel Drive, Soquel	030-153-07
No Situs Address, Soquel	030-153-10
No Situs Address, Soquel	030-153-30
No Situs Address, Soquel	030-153-31
No Situs Address, Soquel	030-153-98
No Situs Address, Soquel	030-153-99

Proposal to obtain a Heart of Soquel Master Site Plan and to implement Phase One improvements including associated lot line adjustments. The Conceptual Master Site Plan includes shared parking and circulation, open space, linear creek trail, and other park amenities. Phase One implementation includes construction of a performance area, plaza, parking and circulation from Soquel and Porter Street, riparian restoration, associated park landscaping, and special community events with beer and wine sales. The project requires a Master Site Plan Approval, Development Permit, Lot Line Adjustments, Riparian Exception and Preliminary Grading Approval for implementation of Phase One of the Master Site Plan and a Negative Declaration with MItigation Measures.

The properties are located at the southeast quandrant of Soquel Village.

SUPERVISORIAL DISTRICT: 1

PROJECT PLANNER: Sheila McDaniel, 454-2255 EMAIL: Sheila.McDaniel@santacruzcounty.us

ACTION: Adopt staff recommendation with revisions to the Conditions of Approval as follows:

COA V.B.7. The use of Public Address (PA) systems at public events are allowed. Amplified music shall not be allowed unless expressly authorized by a County issued special events permit. (Revised by the Planning Commission).

COA V.R. Hours of operation for daily park use shall be between sunrise and sunset. (deleted by Planning Commission).

MOTION/SECOND: Guth/ Hemard

AYES: Guth, Hemard, Shepherd, Garcia, Dann

NOES: None ABSTAIN: None ABSENT: None

REGULAR AGENDA ITEMS

- 10. Planning Director's Report
- 11. Report on Upcoming Meeting Dates and Agendas
- 12. County Counsel's Report

APPEAL INFORMATION

Denial or approval of any permit by the Planning Commission is appealable to the Board of Supervisors. The appeal must be filed with the required appeal fee within 14 calendar days of action by the Planning Commission. To file an appeal you must write a letter to the Board of Supervisors and include the appeal fee. For more information on appeals, please see the "Planning Appeals" brochure located in the Planning Department lobby, or contact the project planner.

Note regarding Public hearing items: If any person challenges an action taken on the foregoing matter(s) in court, they may be limited to raising only those issues raised at the public hearing described in this notice or in written correspondence delivered to the Planning Commission at or prior to the public hearing. Agenda documents may be reviewed at the Planning Department, Room 420, County Government Center, 701 Ocean Street, Santa Cruz.

The County of Santa Cruz does not discriminate on the basis of disability, and no person shall, by reason of a disability, be denied the benefits of its services, programs, or activities. The Board of Supervisors chambers is located in an accessible facility. If you wish to attend this meeting and you will require special assistance in order to participate, please contact the ADA Coordinator at 454-3137 (TTD number is 454-2123 or 763-8123 from Watsonville area phones) at least 72 hours in advance of the meeting to make arrangements. As a courtesy to those persons affected, please attend the meeting smoke and scent free.

ATKINSON LANE MEMORANDUM OF UNDERSTANDING

0957

THIS MEMORANDUM OF UNDERSTANDING is entered into this	day
of, 2014, by and between the County of Santa Cruz,	hereinafter
referred to as "County," the City of Watsonville, hereinafter referred to as	"City," and
MidPen Housing, hereinafter referred to as "MidPen," together referred	I to as the
"Parties."	

RECITALS

WHEREAS, on June 12, 2007, the City and County entered into an Memorandum of Understanding, hereinafter referred to as "2007 MOU", to jointly oversee the planning and environmental review process for a group of properties (hereinafter referred to as "Atkinson Lane Project") primarily located in the unincorporated area of the County, but also in the Future Growth Area B under the City's Measure U (an initiative approved by city voters to govern future development); and

WHEREAS, as a result of that effort, an Environmental Impact Report (EIR), Planned Unit Development (PUD), and Specific Plan were prepared to address the scope of the then-proposed project of approximately 450 residential units, including identification of impacts and mitigation measures, as well as requirements for impact fees to be paid to the County and City, and a municipal services mitigation payment to be made to City by any developers of affordable rental projects; and

WHEREAS, on June 9, 2009 the final EIR was certified by the County, in conjunction with County approval of a General Plan Amendment, Rezoning, and Planned Unit Development for a portion of the property. While a draft Specific Plan had been prepared for the City's consideration, it was not acted upon by the City; and

WHEREAS, on July 8, 2009, the Farm Bureau filed a petition for a Writ of Mandate against the County, City and others with regard to certification of the EIR. As a result of this litigation, a Settlement Agreement was reached in 2011 between the Farm Bureau, the County, and the City; and both the City and County agreed that the EIR would not be used in connection with any action or proposal to develop or annex any, all or portions of the Specific Plan Area not included within the County Entitlements, and the City agreed that nothing in the County Approvals includes approval of the Specific Plan, or the EIR covering the Specific Plan area; and

WHEREAS, the Settlement Agreement does allow the City to rely upon the EIR and to approve development involving two parcels currently located within the City, as they are intended to be incorporated into project(s) authorized by the County Entitlements; and

WHEREAS, as a result of the Settlement Agreement, the City and the County are allowed to rely upon the certified EIR and to approve developments within the defined County Entitlements Area which is defined to include the following Assessor's Parcel Numbers (APNs):

COUNTY ENTITLEMENTS AREA

(within existing City of Watsonville Sphere of Influence)

019-226-42	52 Atkinson Lane	MidPen Housing parcel within City of Watsonville
019-236-01	78 Atkinson Lane	Lamb parcel within City
048-211-25	56 Atkinson Lane	MidPen Housing parcel within County
048-221-09	no site address	Lamb parcel within County

WHEREAS, MidPen has, with the benefit of a loan from the County's Redevelopment Agency, acquired APN 048-211-25 within the County's jurisdiction, and has purchased with its own funds APN 019-226-42 within the City's jurisdiction. Together, these two adjoining properties create a stand-alone developable project site within the County Entitlements Area that is allowed under the Settlement Agreement to be considered for approval; and

WHEREAS, MidPen has designed a cohesive 46-unit project consisting of 26 units on APN 048-211-25 located in the County and 20 units on APN 019-226-42 located in the City, and has submitted applications for discretionary permit entitlements from both the County and the City that require approval before submittal of building permits for the project, and these discretionary applications are expected to be considered by the County and by the City for approval in the near future; and

WHEREAS, as CEQA Lead Agency, the County has prepared an Addendum to the EIR in order to reflect the terms of the Settlement Agreement and to update and allocate the mitigation measures to the current MidPen 46-unit project and to future projects within the County Entitlements Area, and both the County and the City will rely on the EIR and EIR Addendum for actions on the current MidPen projects, and the County would expect to rely on the EIR and EIR Addendum for actions on future projects within the County Entitlements Area; and

WHEREAS, because the MidPen project straddles the City and County boundary, there is a need to address how building plan checks and inspections will occur for the 46-unit MidPen development project; and

WHEREAS, it is also necessary to address how payment of impact fees by projects located within the County Entitlements Area will be made to the City and County; and to address how the parties will ensure that the Municipal Services Mitigation Payment required by the EIR for affordable rental housing projects will be made by MidPen to the City for the Phase 1a project, which is to be paid by the time of building permit issuance.

NOW, THEREFORE, in consideration of the mutual promises of the 2007 MOU, the terms of the 2011 Settlement Agreement, the 2009 EIR and 2014 Addendum to the EIR, and the considerations contained herein, the Parties agree to the following:

1. Building Permit Process for the MidPen 46-unit Project

- a. Parties agree that it would be inefficient and unreasonable to require MidPen to submit separate building permit applications to the City and County for their portions of the project and to have both jurisdictions conducting separate plan check and building inspections.
- b. Parties therefore agree that the County shall be the jurisdiction to process building permits, including plan check, required inspections, and approval of occupancy of the buildings; with the exception of fire plan check which shall be coordinated between the City and Cal Fire agencies.
- c. Parties agree that for consistency, fire plan check shall be coordinated between the City and County, with a single point of contact for corrections and comments between the County, City, and MidPen. Fire plan check, processing and inspection fees shall be paid as follows: Paid to the County based on current County fee schedule for 26 units; and paid to City based on current City fee schedule for 20 units.
- d. Parties agree that the level of building plan check, processing and inspection fees paid to the County for all 46 units shall be as adopted by the County of Santa Cruz, except as provided by 1c above with regard to fire fees.
- e. The County shall apply City building standards for the purposes of plan check and inspection services for the 20 units located on APN 019-226-42.
- f. Parties agree that MidPen retains the option to separately apply to each jurisdiction for building permits in the event that the project is built in separate phases; whether due to delays in the discretionary process in either jurisdiction or for any other reason.

2. Impact Fees and Distribution for Projects within the County Entitlements Area

- a. City and County agree to use the impact fee structures of each jurisdiction that are in effect at the time of building permit issuance. Impact fees shall be paid prior to issuance of building permits. MidPen agrees to pay, in the context of approval of the 46-unit project, such impact fees to the appropriate jurisdiction as outlined below, prior to issuance of any building permit for the project, and the County agrees not to issue a building permit until such time that payment of all impact fees to City and County have been verified in writing. City and County agree that this MOU's approach to payment of impact fees will be used for any future projects on county parcels within the County Entitlements Area, in addition to the current MidPen project which is located on both city and county parcels.
- b. County agrees not to collect drainage fees for the MidPen project; due to the location of the County parcel proposed for 26 units of the MidPen project, which is adjacent to City areas and relates to City drainage infrastructure. Future projects on county parcels within the County Entitlements Area will also not be subject to county drainage fees, unless it is determined through analysis that the site(s) do contribute drainage to county stormwater/drainage infrastructure, in which case the County will set a level of a county drainage fee that would be in addition to any City storm drainage, impervious area and groundwater impact fees.
- c. County agrees to collect Childcare Impact fees for the 26 units of the MidPen project located in the County, and for any future projects on county parcels within the County Entitlements Area. No childcare impact fees will be collected for the 20 MidPen project units located in the City.
- d. City and County agree to collect and distribute their own Parks Impact fees each based on their own adopted fee levels; the City fees for the 20 MidPen units located in the City, and the County fees for the 26 MidPen units located in the County, and for any future projects on county parcels within the County Entitlements Area. County parks impact fees shall be designated to be used to improve South County Parks.
- e. The City, County and MidPen agree that the following City impact fees shall be collected and distributed to the City of Watsonville for the entire 46-unit MidPen project, as well as any future projects on county parcels

within the County Entitlements Area; due to the location of the Area, which is adjacent to city areas and relates to city infrastructure:

- i. Sanitary Sewer Connection Fee
- ii. Water Service Fee
- iii. Groundwater Impact Fee
- iv. Storm Drainage Fee
- v. Impervious Area Impact Fee
- vi. Public Facilities Fee
- vii. Fire Impact Fee
- viii. Underground Utility In-Lieu Fee
- f. City and County agree that MidPen will pay the City Traffic Impact Fee to the City for the 20 units located in the City; and to the County for the 26 units of the MidPen project located on the county parcel; and also agree that any future projects within the County Entitlements Area will pay the County Transportation Impact Fee and Roadside Improvement Impact Fee to the County, for units located in the County. Further, the City and County agree that in order to ensure that adequate funding provided to meet fair share allocations and is available for Watsonville to implement certain traffic mitigations, and to ensure that appropriate project-level requirements are made of projects within the County Entitlements Area, the County will carry out the following:
 - i. The County will pay a portion of its transportation impact fees to the City, at a rate of \$130 per unit, for units located on county parcels within the County Entitlements Area, in order to ensure that county Atkinson projects contribute their fair shares to the costs of improvements to mitigate project impacts (in addition to the \$664 per unit below to address the cumulative impact); and to provide \$20,000 in funding to assist with costs of City of Watsonville coordination with Caltrans and the County on two improvement projects involving Highway 1 ramps, for which the County will cover the fair share contributions of the Atkinson project through the County's impact fees;
 - ii. The County will pay a portion of its transportation impact fees to the City, at a rate of \$664 per unit, for units located on county parcels within the County Entitlements Area, in order to ensure that county projects contribute one-half of the cost of MM 4-1, a traffic signal at East Lake Avenue/Wagner Avenue to be installed in the future by

the City of Watsonville, which is an improvement identified to mitigate a cumulative impact;

- iii. The County will ensure that the first project related to future development of the Lamb property within the County Entitlements Area will have a condition of approval imposed that requires the first development project to implement MM 3.13-11a prior to project occupancy, which requires lengthening the left-turn pocket from Freedom Blvd. to Crestview Drive by at least 25 feet; and that this requirement is in addition to and not credited to impact fees;
- iv. The County will ensure that the first project related to future development of the Lamb property within the County Entitlements Area will have a condition of approval imposed that requires the first development project to implement MM 3.13-12b prior to project occupancy, which requires development and implementation of a traffic calming plan on Brewington Avenue north of Crestview Drive; and that this requirement is in addition to and not credited to impact fees, but which may involve a reimbursement agreement whereby the first applicant may be reimbursed a portion of the cost by other future developers of projects on the Lamb property;
- v. The County agrees that the transportation and roadside impact fees that it receives from projects developed within the County Entitlements Area will be dedicated toward the cost of improvements to the East Lake (Hwy 152)/Holohan intersection; with the exception of the above-described \$130 and \$664 per unit amounts that will be provided to the City by the County from its transportation impact fees collected; and with the exception of the fair share amounts as identified in MM 3.13-6 (Hwy 1 Ramps/Harkins Slough Road) and MM 3.13-8 (Highway 1/Larkin Valley/Airport Blvd NB Ramps/Intersection), which the County must retain in order to meet the fair share contributions of Atkinson projects within the County Entitlements Area to those identified improvement projects.

3. Municipal Services Mitigation Payment

a. In order to meet a requirement of the EIR, the City and MidPen agree that Mid-Pen shall make a one-time municipal services mitigation payment to the City in accordance with an executed agreement between the City and MidPen, to support the ability of the City to provide municipal services such as police and fire, and to ensure ability to respond to anticipated calls for service to the 46-unit MidPen project and meet demands for other city services that may be accessed by households living in the MidPen project. Given its location adjacent to city areas, and linkage to the 20 units of the project located on a city parcel, it is anticipated that public safety response to the 26 units of the MidPen project that are located in the County would most likely be made by City Police and Fire personnel. The County agrees not to issue a building permit for the project until proof of such payment in accordance with an agreement executed by MidPen and the City has been presented to the County.

- b. City and County agree that if any additional affordable rental housing projects are contemplated for approval by the County within the County Entitlements Area in the future, the County agrees to impose a requirement for the developer to enter into an agreement with the City of Watsonville regarding the municipal services mitigation payment, and the County agrees not to issue a building permit for the project(s) until proof of such payment in accordance with an agreement executed by the housing developer(s) and the City has been presented to the County.
- c. The City, County and MidPen agree that the City of Watsonville will provide the following services for the life of the entire 46-unit MidPen project; and the City and County agree to support applications as necessary to the Local Agency Formation Commission (LAFCO) for extraterritorial water and sewer service to the MidPen project and to any other future projects on county parcels within the County Entitlements Area:
 - i. Fire
 - ii. Police
 - iii. Water
 - iv. Solid Waste
 - v. Sewer

ATTACHMENT 6

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This MOU may not be altered, amended, or modified, except in a written document that is executed by duly authorized representatives of the City, County, and MidPen. This MOU will be governed by and construed, enforced, and performed in accordance with the laws of the State of California.

The Parties agree to the provisions of this MOU by having their authorized representatives sign below:

Carlos Palacios Watsonville City Manager

Approved as to Form City Attorney

Matthew Franklin MidPen Housing Executive Director Susan Mauriello County)Administrator

Approved as to Form
County Counsel

ATTACHMENT 7

2009 EIR and 2014 EIR Addendum

(distributed to Board members on disk, and available to public on Planning Dept website under "Environmental" section; CEQA, Archived EIRs)