

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: March 8, 2007	1.55 P.M.	Agenda Item No.: 7
Project Description: Combined Development Permit consisting of 1) a General Development Plan, 2) an Administrative Permit to allow auto repair facilities and 3) a Use Permit for truck tow & storage operation in an existing 10,000 sq. ft. commercial warehouse with 22 parking spaces on 0.6 acre parcel.		
Project Location: 17048 El Rancho Way, Salinas		APN: 261-131-039-000
Planning File Number: PLN050226		Name: Juan Alberto & Beatrice Ruiz, Owner Art Quintero, AQ Designs, Applicant/Agent
Plan Area: Greater Salinas Area Plan		Flagged and staked: No
Zoning Designation: : HC/UR Heavy Commercial/Urban Reserve		
CEQA Action: Mitigated Negative Declaration		
Department: RMA - Planning		

RECOMMENDATION:

It is recommended that the Zoning Administrator:

1. Adopt the Mitigated Negative Declaration (**Exhibit E**)
2. Approve the Combined Development Permit based on the Findings and Evidence (**Exhibit C**) and subject to the recommended Conditions (**Exhibit D**)
3. Adopt a Mitigation Monitoring and/or Reporting Program (MMRP) (**Exhibit D**)

PROJECT OVERVIEW:

The project was continued from January 25, 2007 as it was not noticed on the site as required. The proposed project is a reuse of an existing vacant 10,000 commercial warehouse and paved parking lot. The proposed uses are low-intensity auto-related uses not automobile heavy mechanical repairs, and the hours of operation would be restricted. Although auto repair uses are generally not considered “neighborhood commercial” uses, such as a the neighborhood store and bar as on Fontes Lane, a use without restricted hours of operation could generate more noise and than the proposed uses. Required conditions of approval are intended to reduce the intensity of use to enhance compatibility between commercial and residential uses in the neighborhood.

See Exhibit “B” Discussion

OTHER AGENCY INVOLVEMENT:

- ✓ Salinas Rural Fire Protection District
- ✓ Public Works Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency
- ✓ Monterey Bay Unified Air Pollution Control District
- ✓ City of Salinas

The above checked agencies and departments have reviewed this project. Conditions recommended by the Water Resources Agency and Salinas Rural Fire Protection District have been incorporated into the condition compliance reporting plan (**Exhibit D**).

Citizen's Advisory Committee

The Boronda Redevelopment Citizen's Advisory Committee (CAC) met on September 21, 2005 and recommended denial of the project. The CAC met again on September 27, 2006 to reconsider the project and were provided comprehensive site plans, floor plans and elevations and operations description. The members recommended approval of the project with conditions concerning the quality of exterior design, landscaping, fencing, signage, and limits on the hours of operation to reduce intensity of use and noise. The members considered the use compatible with the neighborhood, although it is not considered "neighborhood commercial".

Note: The decision on this project is appealable to the Planning Commission.

Paula Bradley, MCP, AICP, Associate Planner
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January 25, 2007

cc: Planning Commission; Salinas Rural Fire Protection District; Public Works Department; Environmental Health Division; Water Resources Agency; Monterey Bay Unified Air Quality Control Board; Monterey County Sheriff's Department; Robert Richelieu, City of Salinas; Bob Schubert, Planning Manager; Paula Bradley, Planner; Carol Allen, Senior Secretary; Alberto and Beatrice Ruiz, Property Owner; Art Quintero, Applicant/Agent; Planning File PLN050226.

Attachments: Exhibit A Project Data Sheet
Exhibit B Discussion
Exhibit C Recommended Findings and Evidence
Exhibit D Recommended Conditions of Approval and Mitigation Monitoring and Reporting Plan
Exhibit E Mitigated Negative Declaration
Exhibit F Assessor's Parcel Map, Vicinity Map
Exhibit G Boronda Citizen's Advisory Committee Minutes 9/27/06
Exhibit H Site Plans

This report was reviewed by Bob Schubert, Acting Planning and Building Services Manager

EXHIBIT B

DISCUSSION

Project Description

Background

The project site is currently developed with an existing 10,000 square foot commercial warehouse, parking lot and chain link perimeter fencing. Although vacant now, it was previously used for a wholesale flower business.

Proposed Project

The project consists of a Combined Development Permit including: 1) a General Development Plan, 2) an Administrative Permit to allow auto repair facilities and 3) a Use Permit for a vehicle towing and storage operation. The project would be located in an existing 10,000 square foot commercial warehouse with a 22 space parking lot. The 0.6 acre parcel is flat and is enclosed with a perimeter chain link fence and gate. Proposed site improvements include: installing landscaping and a trash enclosure, re-striping the existing paved lot for parking and tenant improvements including incorporating American with Disabilities Act (ADA) requirements and fire department requirements. Interior and minor exterior remodeling would consist of paint, installation of new awnings, interior and exterior wood doors, and other tenant improvements. No grading or storm drainage improvements are required as the structure and parking lot are existing.

General Development Plan/Operation

The operating hours are limited to 8:00 a.m. to 6:00 p.m. Monday through Friday, and 9:00 a.m. to 6:00 p.m. Saturday, closed Sundays, and will include up to ten employees. Auto related uses proposed would include light mechanical repairs, such as wheels and brakes, smog inspection, and installation of stereo sound systems. Other allowed uses would include plumbing and small appliance repairs. Uses not allowed would be heavy mechanical work such as removing and rebuilding engines, open flame welding, auto body or painting, tire repairs and installation.

The tow and storage operation would consist of a total of three tow trucks. A tow truck would typically go to the site three times per week to store a vehicle. Most of the daily business is “lock outs” and “flat tires”. Two tow trucks operate for agricultural/packing uses. These two trucks have a flatbed with a ramp to transport forklifts. The other truck is a standard tow truck with a wheel lift and no flatbed. Tow trucks are driven home by the driver and only one truck might be at the site at any given time. The tow and storage business would operate out of three of the seven bays within the warehouse, no tow trucks or any vehicles will be stored outside. Parking is for customers and employees.

Landscaping is required including on the El Rancho Way frontage, the property line to the west, and along Calle del Adobe. Landscaping will include the installation of trees for visual screening and a noise buffer between the commercial and residential uses.

A sign program will be required for the project as part of the General Development Plan. No future phases are proposed. The site includes an existing building and parking area. A landscaping and exterior lighting plan are required to be approved as standard conditions.

Uses allowed with the approval of an Administrative Permit in the “HC” zoning district:

- Auto repair facilities
- Service Stations
- Shops for tradesmen
- Mini-warehouses
- Retail services such as office supplies, photography and framing shops
- Light commercial shop uses conducted within the structure
- Other uses of a similar character

Uses allowed with the approval of a Use Permit:

- Automobile tow truck tow and storage operations
- Automobile and recreational vehicle storage
- Boat and auto sales
- Trucking operations, including offices, and facilities for the repair servicing, fueling, storage and dispatching of commercial trucks
- All residential uses providing that the square footage of the residential use does not exceed the gross square footage of the commercial use

Environmental Review

In accordance with the California Environmental Quality Act (CEQA), an Initial Study was prepared to assess any potential adverse environmental impacts from the project, and was circulated on December 29, 2006 with the public review period ending January 18, 2007. The Initial Study/Mitigated Negative Declaration identified one mitigation measure to assure a less than significant impact to the regional traffic and circulation. Issues discussed which were concluded to have a less than significant impact not requiring mitigation were land use and noise. Prior to the close of the public review period for the Initial Study, January 18, 2007, staff received a comment letter from the Monterey Bay Unified Air Pollution Control District (MBUAPCD). The applicant shall contact the MBUAPCD regarding any permits that might be required for the auto repair facility (Exhibit I).

Setting

The project site is located in an urbanized unincorporated area in the Boronda Neighborhood Improvement Plan area, which is part of the Greater Salinas Area Plan, and the and the Boronda Redevelopment Project areas. The Boronda Neighborhood area is bordered by Highway 101 to the east in the City of Salinas, with commercial development to the northeast and southeast and adjacent agricultural lands to the west.

Land Use and Zoning Designation

Zoning

The 0.6 acre parcel is zoned “HC-UR”, Heavy Commercial-Urban Reserve. Heavy Commercial uses for the district include: warehousing, storage facilities, offices, trade centers, repair facilities, and fabrication shops. Contiguous land uses are multi-family residential and medium density, single-family residential, four units per acre, to the north, west and east. To the south across Calle del Adobe is Light Commercial, zoning and is currently a church use. The proposed use is consistent with the HC-UR zoning district but in general Heavy Commercial uses are not considered compatible with residential uses. The Title 21 Zoning Map (Section 105) and the Boronda Improvement Plan map both show the parcel as commercial use surrounded on three

sides by residential uses. Approximately 500 feet to the east is an hotel use also zoned Light Commercial. Beyond that is the City of Salinas and regional commercial shopping center uses.

General Plan

The General Plan designation is “Commercial”. For the Commercial land use designation, goals, objectives and policies include: encouraging commercial development in close proximity to major residential areas and transportation routes, which accommodate a mix of commercial activities to serve the County’s needs, on sites where good site design and utilization of property can be demonstrated, while minimizing conflicts between commercial and other use (Commercial, Goal 28). The Boronda Neighborhood Improvement Plan and the Boronda Redevelopment Plan designate the parcel “Neighborhood Commercial”. This specific parcel is referred to (page 20) as one of two parcels proposed as locations for neighborhood commercial use (the other parcel on Fontes Lane has an existing store and bar) and that the subject parcel could be converted over time.

Neighborhood Commercial

“Two neighborhood-serving commercial locations are proposed. Both locations (1.1 acres) are currently commercial in nature. The existing grocery store and bar at the intersection of Fontes Lane and Addington Road is an example of a neighborhood-serving commercial use and would be retained. The other proposed location at the intersection of Hyland Drive and El Rancho Way is currently in commercial, but not neighborhood-serving uses. The use could be converted over time. The reduction of commercially zoned lands at both of these intersections, would make these locations more attractive and improvements would be encouraged. High volume water users would be discouraged.”

The project would be reuse of the existing 10,000 square foot commercial warehouse with an existing paved parking lot, not new construction. The proposed uses are low-intensity auto-related uses, not automobile heavy mechanical repairs, and the uses are conditioned to reduce the intensity of use and to enhance compatibility between commercial and residential uses in the neighborhood. Auto repair and tow truck uses are not considered neighborhood serving. Auto related uses proposed would include light mechanical repairs, such as wheels and brakes, smog inspection, and installation of stereo sound systems. Other allowed uses would include plumbing and small appliance repairs. Uses not allowed are: heavy mechanical work such as removing and rebuilding engines, open flame welding, auto body or painting, tire repairs and installation.

Auto and tow truck operations will be restricted in hours from 8:00 a.m. to 6:00 p.m. Monday through Friday, and 9:00 a.m. to 6:00 p.m. Saturday, and closed on Sunday. Proposed improvements such as new paint and awnings, landscaping and screening for noise and visual impact. Required improvements include landscaping, green visual screening, and a signage plan. Colors and changes to the façade will be required to be similar to the nearby hotel use.

The City of Salinas General Plan designates the area north of Calle del Adobe as single-family housing and to the east retail uses. The application and plans were distributed to the adjacent City of Salinas and comments were received. Comments were concerned with National Pollutant Discharge Elimination System (NPDES) compliance (the City is in a different NPDES “phase” than is the County) for storm water runoff, drainage and water quality; and that development include appropriate landscaping with street trees and parking lot design. No storm drainage work is proposed as the structure and parking lot are existing on the site.

Noise

A noise analysis and report was completed for the project by Charles Salter and Associates. The purpose was to quantify future noise generated by the proposed project and to determine the compatibility with the County noise standards. Current noise is generated from traffic on Calle del Adobe and El Rancho Way and the cumulative Ldn (average sound level) will not increase the existing noise level in the area. The report concluded that the proposed business will not increase noise levels or impact the adjacent residential uses. Noise levels are within the “conditional acceptable” range for the County of Monterey General Plan. The applicant has proposed to install a layer of soundproofing in the interior of the wood framed building and blanket insulation in the ceiling to reduce noise, although this was is not required as a mitigation from the noise study.

Traffic and Circulation

Access to the site is from El Rancho Way at Hyland Way, off Calle del Adobe from the south or Boronda Road from the west. Parking will include 22 spaces, four designated to each use for both employees and customer use. The parking lot is enclosed within a chain link fence and is gated. No repairs or storage of vehicles would be allowed outside of the service bays and no storage of vehicles is allowed on the public street on El Rancho Way. Proposed site improvements include: installing landscaping and a trash enclosure, re-striping the existing paved lot for parking and ADA access, and tenant improvements including incorporating fire department requirements. Four bike rack spaces will be included on the site. Standard conditions will be incorporated into the project including requiring payment of drainage fees, traffic fees to the City of Salinas, and one mitigation measure is required to pay TAMC regional traffic mitigation fees. Public Works is requiring that the project install curbs, gutters and sidewalks along El Rancho Way.

EXHIBIT C

RECOMMENDED FINDINGS AND EVIDENCE

1. **FINDING: CONSISTENCY** – The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, Greater Salinas Area Plan, and the Monterey County Zoning Ordinance (Title 21), which designates this area as appropriate for commercial development.
EVIDENCE: (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of the application. No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
(b) The project planner conducted a site inspection on 7/2/06 to verify that the project on the subject parcel conforms to the plans listed above.
(c) The parcel is recorded on Parcel Map (MS 81-25), Volume 14, page 215 (Assessor's Parcel Number 261-131-039-000). The subject parcel is determined to be a legal lot.
(d) The Boronda Redevelopment Citizen's Advisory Committee (CAC) met on September 21, 2005 and recommended denial of the project. The CAC met again on September 27, 2006 to reconsider the project and were provided comprehensive site plans, floor plans and elevations and operations description. The members recommended approval of the project with conditions concerning the quality of exterior design, landscaping, fencing, signage, and limits on the hours of operation to reduce intensity of use and noise. The members considered the use compatible with the neighborhood, although it is not considered "neighborhood commercial".
(e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning for the proposed development found in Project File PLN050226.
2. **FINDING: SITE SUITABILITY** – The site is physically suitable for the use proposed.
EVIDENCE: (a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning, Salinas Rural Fire Protection District, Public Works, Environmental Health Division, and the Water Resources Agency, Monterey Bay Unified Air Quality Control Board; the Monterey County Sheriff's Department., and the City of Salinas. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
(b) Technical reports by an outside Registered Professional engineering consultant indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff concurs. The following reports have been prepared:

1. Noise Study for Mirza's Towing Service by Charles Salter & Associates, dated November 3, 2006, (Library No.: LIB060661)

(c) Planning and Building Inspection staff conducted a site inspection on 7/2/06 to verify that the site is suitable for this use. The parcel is zoned HC-UR Heavy Commercial/Urban Reserve. The subject property complies with all the rules and regulations pertaining to zoning uses and any other applicable provisions of Title 21, and is therefore suitable for the proposed development.

(d) Materials in Project File PLN050226.

3. FINDING: **CEQA.** The proposed project will not have a potentially significant adverse impact on the environment. A Mitigated Negative Declaration has been prepared and is on file (File No. PLN050226) in the RMA - Planning Department. Mitigation measures identified in the Initial Study and Mitigated Negative Declaration required to avoid potential significant effects to the environment have been incorporated into the approved project or as conditions of approval. A Condition Compliance and Mitigation Monitoring Reporting Plan (hereafter "the MMRP") has been prepared pursuant to Public Resources Code 21081.6 and is required as a condition of approval. The MMRP is incorporated herein by reference. Potential environmental effects have been studied, and there is no substantial evidence in the record, as a whole, that supports a fair argument that the project, as designed, may have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment and analysis of the County based upon the findings and conclusions drawn in the Initial Study and the testimony and information received, and scientific and factual data presented as evidence during the public review process. The Monterey County Planning Department, located at 168 West Alisal Street, 2nd Floor, Salinas is the custodian of the documents and the materials that constitute the record of proceedings upon which the adoption of the Mitigated Negative Declaration is based.

EVIDENCE: (a) The application, plans, and support materials submitted by the project applicant to the Monterey County Planning Department for the proposed development, found in the project file.

(b) County staff prepared an Initial Study for the project in compliance with the California Environmental Quality Act (CEQA and Guidelines). The Initial Study provided substantial evidence that the project, with the addition of mitigation measures, would not have significant environmental impacts. A Mitigated Negative Declaration was filed with the County Clerk on December 29, 2006, and noticed for public review. All comments received on the Initial Study/Mitigated Negative Declaration have been considered as well as all evidence in the record, which includes studies, data, and reports supporting the Initial Study; additional documentation requested by staff in support of the Initial Study findings; information presented or discussed during public hearings; staff reports that reflect the County's independent judgment and analysis regarding the above referenced studies, data, and reports; application materials; and

expert testimony. Among the studies, data, and reports analyzed as part of the environmental determination are the following:

1. Project Application and Plans PLN050226 (dated 6/20/05).
2. Interdepartmental Review Agency Comments
3. Monterey County General Plan (1982) as amended.
4. The Boronda Improvement Plan (a part of the Greater Salinas Area Plan adopted July 14, 1987).
5. Greater Salinas Area Plan (adopted as part of the Monterey County General Plan 10/86).
6. Title 21 of the Monterey County Code (Zoning Ordinance)
7. Site visit by Project Planner on 7/2/06.
8. Monterey County Geographical Information System (GIS) Property Report for Assessors parcel Number 261-131-039-000.
9. Boronda Redevelopment Citizen's Advisory Committee meeting minutes September 21, 2005 and September 27, 2006.
10. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised June 2004.
12. State of California Regional Water Quality Control Board, Central Coast Region, Stormwater Management Program Revision Requirements, February 11, 2005.
13. City of Salinas General Plan
14. Noise Study for Mirza's Towing Service by Charles Salter & Associates, dated November 3, 2006.
15. Boronda Redevelopment Plan, November 1988.
16. Monterey County Code, Chapter 10.60.030 Operation of noise-producing devices restricted.
17. Communication with Jean Getchell at MBUAPCD

4. FINDING: FISH AND GAME FEES – Filing of Notice of Determination. For Purposes of the Fish and Game Code, the project will NOT have a potential for adverse impact on fish and wildlife resources upon which the wildlife depends.

- EVIDENCE:**
- (a) Staff analysis contained in the Initial Study and the record as a whole indicate the project will not result in changes to the resources listed in Section 753.5(d) of the Department of Fish and Game regulations. Implementation of the project described herein will affect changes to native and non-native plant life and soils, and the biological analyses identified potential impacts to wildlife and special status species.
 - (b) Initial Study and Mitigated Negative Declaration contained in the project file.
 - (c) Evidence in Finding No. 3 above.

- 5. FINDING: USE PERMIT** – The Use Permit findings shall be met in order to grant any Use Permit. The Appropriate Authority may designate such conditions in connection with the Use Permit as it deems necessary to secure the purposes of this Title. Such conditions may include monitoring, at reasonable times and intervals, to assure compliance with the conditions set forth in the permit. Other such conditions may include, but are not limited to, health and safety requirements, architectural and site approval, time limitations, street dedication, and street and drainage improvements. The Appropriate Authority may also require such bond and guarantees as it appropriate to assure the compliance of the conditions.
- EVIDENCE:** (a) Operating hours are restricted to 8:00 a.m. to 6:00 p.m. Monday through Friday, and 9:00 a.m. to 6:00 p.m. Saturday, closed Sundays. Auto related uses approved include light mechanical repairs, such as wheels and brakes, smog inspection, and installation of stereo sound systems. Other allowed uses would include plumbing and small appliance repairs. Uses not allowed include heavy mechanical work such as removing and rebuilding engines, open flame welding, auto body or painting, tire repairs and installation. A layer of soundproofing in the interior of the wood framed building and blanket insulation in the ceiling to reduce noise, shall be installed. Proposed improvements such as new paint and awnings, and landscaping to include a noise buffer and visual screening. No new development or phases are proposed, the project would be reuse of the existing facilities, located in an existing 10,000 square foot commercial warehouse with an existing paved parking lot.
(c) See Finding No. 6 and 7 below.
- 6. FINDING: NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County’s zoning ordinance. No violations exist on the property. Zoning violation abatement costs, if any, have been paid.
- EVIDENCE:** Staff reviewed Monterey County Resource Management Agency - Planning Department and Building Services Department Monterey County records and is not aware of any violations existing on subject property.
- 7. FINDING: HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.
- EVIDENCE:** Preceding findings and supporting evidence.
- 8. FINDING: APPEALABILITY** - The decision on this project is appealable to the Planning Commission.
- EVIDENCE:** Section 21.80.040(B) of the Monterey County Zoning Ordinance (Title 21).

EXHIBIT D Monterey County Resource Management Agency Planning Department Condition Compliance and/or Mitigation Monitoring Reporting Plan	Project Name: Ruiz File No: PLN050226 Approved by: Zoning Administrator	APN: 261-131-039-000 Date: March 8, 2007
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**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
1.		<p>PBD029 - SPECIFIC USES ONLY</p> <p>A Combined Development Permit consisting of 1) a General Development Plan, 2) an Administrative Permit to allow auto repair facilities and 3) a Use Permit for truck tow & storage operation in an existing 10,000 sq. ft. commercial warehouse with 22 parking spaces on 0.6 acre parcel. The property is located at 17048 El Rancho Way, Salinas (Assessor's Parcel Number 261-131-039-000), Greater Salinas Area Plan, and Boronda Neighborhood Improvement Plan.</p> <p>Operating hours are restricted to 8:00 a.m. to 6:00 p.m. Monday through Friday, and 9:00 a.m. to 6:00 p.m. Saturday, closed Sundays. Auto related uses approved include light mechanical repairs, such as wheels and brakes, smog inspection, and installation of stereo sound systems. Other allowed uses would include plumbing and small appliance repairs. Uses not allowed include heavy mechanical work such as removing and rebuilding engines, open flame welding, auto body or painting, tire repairs and installation. Soundproofing in the interior of the wood framed building and blanket insulation in the ceiling to reduce noise, shall be installed.</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (Resource Management Agency (RMA) – Planning)				
2.		PBD025 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution No. _____) was approved by the Zoning Administrator for Assessor's Parcel Number 261-131-039-000 on March 8, 2007. The permit was granted subject to 25 conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of RMA - Planning Department prior to issuance of building permits or commencement of the use. (Resource Management Agency (RMA) – Planning)	Proof of recordation of this notice shall be furnished to RMA - Planning.	Owner/ Applicant	Prior to issuance of grading and building permits	
3.		PBD026 – NOTICE OF REPORT Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A Noise Study for Mirza's Towing Service was prepared by Charles Salter & Associates, dated November 3, 2006 (Library No.: LIB060661). All	Proof of recordation of this notice shall be furnished to Planning Director.	Owner/ Applicant	Prior to issuance of grading and building permits	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		development shall be in accordance with this report". (Resource Management Agency (RMA) – Planning)				
4.		PD006 - MITIGATION MONITORING PROGRAM The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement. (RMA - Planning Department)	1) Enter into agreement with the County to implement a Mitigation Monitoring Program. 2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.	Owner/ Applicant	Within 60 days after project approval or prior to the issuance of grading and building permits, whichever occurs first.	
5.		PD012A- NONSTANDARD WORDING - LANDSCAPE PLAN AND MAINTENANCE (OTHER THAN SINGLE FAMILY DWELLING) The site shall be landscaped. At least three (3) weeks prior to occupancy, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping and shall include an irrigation plan. The landscaping shall be installed and inspected prior to occupancy. All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA – Planning Department)	Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval. Landscaping is required including on the El Rancho Way frontage, the property line to the west, and along Calle del Adobe. Landscaping will include the installation of trees for visual screening and a noise buffer between the commercial and residential uses.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	At least three (3) weeks prior to final inspection or occupancy	
			All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.	Owner/ Applicant	Ongoing	

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6.		PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. (RMA – Planning Department)	Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.	Owner/ Applicant	Prior to the issuance of building permits.	
			The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Ongoing	
7.		PW0007 – PARKING STD The parking shall meet the standards of the Zoning Ordinance and be approved by the Director of Public Works and the Director of Planning and Building Inspection. (Public Works)	Applicant’s engineer or architect shall prepare a parking plan for review and approval.	Owner/ Applicant/ Engineer	Prior to Building/ Grading Permits Issuance	
8.		PW0001 – NON-STANDARD – TAMC FEES Applicant shall pay the Transportation Agency of Monterey County (TAMC) regional traffic mitigation fee in accordance with Table 7 of the TMC Nexus Study and as approved by TAMC. (Public Works)	Applicant’s engineer or architect shall pay the fee to the County of Monterey Public Works Department.	Owner/ Applicant/ Engineer	Prior to Building/ Grading Permits Issuance	
9.		PW0004 – NON-STANDARD – AGREEMENT (CURB, ETC) Enter into an agreement with the County of Monterey to install curb, gutter, sidewalk and pave-out along the frontage of El Rancho Way.	Owner shall submit executed agreement to DPW. DPW can prepare agreement. Improvements shall be constructed upon demand of DPW. Failure to construct can result in a lien placed on the property.	Owner/ Applicant	Prior to Building/ Grading Permits Issuance	

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		(Public Works)				
10.		PW0002 – NON-STANDARD – CITY OF SALINAS TFO Contribute to the City of Salinas the amount required in accordance with the City’s Traffic Fee Ordinance as determined by the City of Salinas. (Public Works)	Applicant’s engineer or architect shall prepare a parking plan for review and approval.	Owner/ Applicant/ Engineer	Prior to Building/ Grading Permits Issuance	
11.		PW0003 – NON-STANDARD – DRAINAGE FEES Prior to issuance of a building permit applicant shall contribute \$22,865 toward the Boronda Redevelopment Area Storm Drain Master Plan (0.60 acres X \$38,108 per acre) Public Works)	Applicant’s engineer or architect shall prepare a parking plan for review and approval.	Owner/ Applicant/ Engineer	Prior to Building/ Grading Permits Issuance	
12.		PW0010 – SEWER CONNECTION Obtain a sewer connection permit from the Department of Public Works and pay all applicable fees. (Public Works)	Applicant shall apply for permit with Department of Public Works, obtain the permit, and pay applicable fees.	Owner/ Applicant	Prior to Building/ Grading Permits Issuance	
13.		EH28 - HAZ MAT BUSINESS RESPONSE PLAN Comply with Title 19 of the California Code of Regulations and Chapter 6.95 of the California Health and Safety Code (Hazardous Material Registration and Business Response Plans) as approved by the Director of Environmental Health. (Environmental Health)	Contact the Hazardous Materials Program of the Division of Environmental Health.	Owner/ Applicant	Continuous	

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14.		EH30 - HAZARDOUS WASTE CONTROL Comply with Title 22, Division 4.5 of the California Code of Regulations and Chapter 6.50 of the California Health and Safety Code (Hazardous Waste Control) as approved by the Director of Environmental Health. (Environmental Health)	Contact the Hazardous Materials Program of the Division of Environmental Health.	Owner/ Applicant	Continuous	
15.		EH31 - HAZ MAT RMP Submit a Risk Management Plan to the Director of Environmental Health for review and approval. The RMP shall comply with Title 19, Chapter 4.5 of the California Code of Regulations and Chapter 6.95, Article 2 of the California Health & Safety Code. (Environmental Health)	Submit plan to the Hazardous Materials Program of the Division of Environmental Health for review and approval.	Owner/ Applicant	Prior to commencement of operation	
16.		EH33 - VEHICLES/PARTS IMPERVIOUS SURFACE All vehicles or parts stored for longer than 72 hours that contain gasoline, oils, lubricants, coolants, or any other hazardous materials/wastes shall be stored in impervious areas properly graded and bermed for surface drainage into an approved oil/water separator. (Environmental Health)	Submit plans to the Division of Environmental Health for review and approval.	Owner/ Applicant	Prior to issuance of building permits or commencement of operation	
17.		EH34 - HAZ MAT SPCC Submit a site Spill Prevention Control Countermeasure (SPCC) Plan to the California Regional Water Quality Control Board for storage of petroleum products (i.e. diesel, oil, and gasoline) in above ground storage tanks greater than 650-gallon capacity or for cumulative storage of more than 1320 gallons. The Plan shall meet the standards as per Title 26, Division 22, Article 3, Sections 66264.30-66264.56 (Preparedness and Prevention). (Environmental Health)	Submit plan to the Hazardous Materials Program of the Division of Environmental Health for review and approval.	Owner/ Applicant	Prior to commencement of operation	

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18.		<p>WR40 - WATER CONSERVATION MEASURES The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:</p> <p>a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.</p> <p>b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency)</p>	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/occupancy	
19.		<p>WRA001 NONSTANDARD- DRAINAGE PLAN (WR) Prior to issuance of any grading or building permits, the applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts, that includes routing stormwater runoff from the paved parking areas to oil-grease/water separators. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)</p>	Submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading or building permits	WRA

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20.		FIRE002 - ROADWAY ENGINEERING The grade for all roads shall not exceed 15 percent. Where road grades exceed 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The length of vertical curves in roadways, exclusive of gutters, ditches and drainage structures designed to hold or divert water, shall not be less than 100 feet. No roadway turn shall have a horizontal inside radius of less than 50 feet. A roadway turn radius of 50 to 100 feet is required to have an additional 4 feet of roadway surface. A roadway turn radius of 100 to 200 feet is required to have an additional 2 feet of roadway surface. Roadway turnarounds shall be required on dead-end roads in excess of 150 feet of surface length. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (Salinas Rural Fire District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
21.		FIRE003 - DEAD-END ROADS (1) For parcels less than 1 acre, the maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed 800 feet. All dead-end road lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its furthest point. Where a dead-end road serves parcels of differing sizes, the shortest allowable length shall apply. Each dead-end road shall have a turnaround constructed at its terminus. The minimum turning radius for a turnaround shall be 40 feet from the center	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection.	

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		line of the road. If a hammerhead/T is used, the top of the “T” shall be a minimum of 60 feet in length. . (Salinas Rural Fire District)				
22.		FIRE008 - GATES All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. (Salinas Rural Fire District)	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection.	
23.		FIRE011 - ADDRESSES FOR BUILDINGS All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Owner/ Applicant	Prior to issuance of building permit	

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		driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Salinas Rural Fire District)	Applicant shall schedule fire dept. clearance inspection.	Owner/ Applicant	Prior to final building inspection	
24.		FIRE030 – NON-STANDARD CONDITIONS ROAD ACCESS Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. All roads shall be constructed to provide a minimum	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	

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		width of 20 feet with an unobstructed vertical clearance of not less than 15 feet. The roadway surface shall provide unobstructed access to conventional drive vehicles including sedans and fire apparatus and shall be an all-weather surface designed to support the imposed load of fire apparatus (22 tons). Each road shall have an approved name. (Salinas Rural Fire District)				
			Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection.	
25.		FIRE026 - ROOF CONSTRUCTION (STANDARD) All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class B roof construction. (Salinas Rural Fire District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
	MM-1	MITIGATION MEASURE NO. 1 – TAMC FEES Applicant shall pay the Transportation Agency of Monterey County (TAMC) regional traffic mitigation fee in accordance with Table 7 of the TMC Nexus Study and as approved by TAMC. (Public Works)	Applicant's engineer or architect shall prepare a parking plan for review and approval.	Owner/ Applicant/ Engineer	Prior to Building/ Grading Permits Issuance	