

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: April 26, 2007	Time: 1:40pm	Agenda Item No.: 4
Project Description: Use Permit to allow a Service Center consisting of an 80 square foot storage structure, a 112 square foot storage structure, a 160 square foot storage structure, and a 2,400 square foot storage structure with security room and bathroom.		
Project Location: 2960 San Juan Road, Aromas		APN: 141-012-005-000
Planning File Number: PLN060355		Name: Joe N & Marie A Barros, Property Owners
Plan Area: North County Area Plan		Flagged and staked: No
Zoning Designation: "LC" [Light Commercial]		
CEQA Action: Categorically exempt per Section 15301 and 15303		
Department: RMA - Planning Department		

RECOMMENDATION:

Staff recommends that the Zoning Administrator approve the Use Permit based on the Findings and Evidence (**Exhibit B**) and subject to the recommended Conditions (**Exhibit C**).

PROJECT OVERVIEW:

The 0.52 acre property is zoned Light Commercial. The property is located between Highway 101 and San Juan Road in the North County Area Plan. The property currently serves as a Service Center for a General Engineer Contractor. There is an 80 square foot storage structure, a 112 square foot storage structure, and a 160 square foot storage structure on the property. The entire parcel is covered with gravel and the open areas are used for construction equipment storage. Two separate Use Permits were approved for a metal building for sales and supplies and a maintenance shop - one in 1980 and one in 1981. A Use Permit for a contract business was approved in 1982. Two building permits associated with the contract business were deemed null and void in 1991. Therefore, although no violation case has been opened on the property, the current use is not permitted.

There has been recent theft on the property and the new 2,400 square foot storage structure is intended to increase the level of security for storing equipment. The storage structure will contain a small room for security equipment and a bathroom. This Use Permit will allow the existing use and the new storage structure. Conditions have been added to assure compliance with parking, landscaping, and lighting regulations.

OTHER AGENCY INVOLVEMENT:

- ✓ Aromas Tri-County Fire Protection District
California Department of Transportation, District 5
- ✓ Public Works Department
Parks Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency
Regional Water Quality Control Board

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

The project was not referred to the North County Non-Coastal Land Use Advisory Committee (LUAC) for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 04-236, this application did not warrant referral to the LUAC because the project does not involve slope restrictions, does not involve ridgeline/viewshed development, and is exempt from CEQA. Additionally, the project does not involve a Lot Line Adjustment or a variance.

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

Jennifer Savage
(831) 755-5149, savagej@co.monterey.ca.us
April 20, 2007

cc: Zoning Administrator; Aromas Tri-County Fire Protection District; Public Works Department; Environmental Health Division; Water Resources Agency; Jacqueline Onciano, Planning & Building Services Manager; Jennifer Savage, Planner; Carol Allen; Joe N & Marie A Barros, Property Owners; Planning File No. PLN060355.

Attachments:	Exhibit A	Project Data Sheet
	Exhibit B	Recommended Findings and Evidence
	Exhibit C	Recommended Conditions of Approval
	Exhibit D	Site Plan, Elevations, Floor Plans
	Exhibit E	Statement of Operation Details

This report was reviewed by Jacqueline R. Onciano, Planning and Building Service Manager/Senior Planner

EXHIBIT A

Project Information for PLN060355

Project Title: BARROS JOE N & MARIE A

Location: 2960 SAN JUAN RD AROMAS

Applicable Plan: North County Area Plan

Permit Type: Combined Development Permit

Environmental Status: Exempt

Advisory Committee: N/A

Primary APN: 141-012-005-000

Coastal Zone: No

Zoning: LC

Plan Designation: COMMERCIAL

Final Action Deadline (884): 5/12/2007

Project Site Data:

Lot Size: 0.531 AC

Existing Structures (sf): 370

Proposed Structures (sf): 2,400

Total Sq. Ft.: 2,770

Coverage Allowed: 50%

Coverage Proposed: 12%

Height Allowed: N/A

Height Proposed: 20 FT

FAR Allowed: N/A

FAR Proposed: N/A

Resource Zones and Reports:

Environmentally Sensitive Habitat: No

Biological Report #: N/A

Forest Management Rpt. #: N/A

Erosion Hazard Zone: LOW

Soils Report #: N/A

Archaeological Sensitivity Zone: HIGH

Archaeological Report #: N/A

Geologic Hazard Zone: II

Geologic Report #: N/A

Fire Hazard Zone: HIGH

Traffic Report #: N/A

Other Information:

Water Source: AROMAS WATER

Water Dist/Co: N/A

Fire District: AROMAS TRI-COUNTY

Tree Removal: NONE

Sewage Disposal (method): SEPTIC

Sewer District Name: N/A

Grading (cubic yds.): 0.0

EXHIBIT B

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, North County Area Plan, North County Area Plan Inventory and Analysis, and the Monterey County Zoning Ordinance (Title 21), which designates this area as appropriate for development.

EVIDENCE: (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

(b) The property currently serves as a Service Center (see Section 21.06.1005) for a General Engineer Contractor. There is an 80 square foot storage structure, a 112 square foot storage structure, and a 160 square foot storage structure on the property. The entire parcel is covered with gravel and the open areas are used for construction equipment storage. Two separate Use Permits were approved for a metal building for sales and supplies and a maintenance shop - one in 1980 and one in 1981. A Use Permit for a contract business was approved in 1982. Two building permits associated with the contract business were deemed null and void in 1991. Therefore, although no violation case has been opened on the property, the current use is not permitted. (See Finding 4 for further discussion.)

(c) The project planner conducted a site inspection on April 6, 2007 to verify that the project on the subject parcel conforms to the plans listed above.

(d) The property is zoned Light Commercial (“LC”). No General Development Plan is required for Project File No. PLN060355 per Section 21.18.030.E. The addition of a storage structure does not increase the intensity of the Service Center use that currently exists on the property. However, a statement of operation details was submitted (see Exhibit E).

(e) The project was not referred to the North County Non-Coastal Land Use Advisory Committee (LUAC) for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 04-236, this application did not warrant referral to the LUAC because the project does not involve slope restrictions, does not involve ridgeline/viewshed development, and is exempt from CEQA. Additionally, the project does not involve a Lot Line Adjustment or a variance.

(f) Condition No. 4 is incorporated to assure compliance with landscaping requirements of Section 21.18.070.D, Monterey County Zoning Ordinance Title 21.

(g) Condition No. 5 is incorporated to assure compliance with lighting requirements of Section 21.18.070.E, Monterey County Zoning Ordinance Title 21, and Policy 26.1.20, Monterey County General Plan.

(h) Condition No. 6 is incorporated to assure compliance with parking requirements of Chapter 21.58, Monterey County Zoning Ordinance Title 21.

- (i) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File No. PLN060355.

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 Department, Aromas Tri-County Fire Protection District, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
 - (b) The property is located at 2960 San Juan Road (Assessor's Parcel Number 141-012-005-000), North County Area Plan. The parcel is zoned Light Commercial ("LC"), and is therefore suitable for the proposed development.
 - (c) Materials in Project File No. PLN060355.

3. FINDING: CEQA (Exempt) - The project is categorically exempt from environmental review and no unusual circumstances were identified for the proposed project.

- EVIDENCE:**
- (a) CEQA Guidelines categorically exempt permitting of existing facilities per Section 15301 and categorically exempts new construction of limited number of structures per Section 15303.
 - (b) No adverse environmental effects were identified during staff review of the development application during a site visit on April 6, 2007.
 - (c) See preceding and following findings and supporting evidence.

4. FINDING: NO VIOLATIONS - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property. Zoning violation abatement costs, if any, have been paid.

- EVIDENCE:**
- (a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department Monterey County records and no violation has been placed on the property.
 - (b) On April 10th, 1980, Use Permit No. ZA-3951 was approved by the Zoning Administrator to allow a metal building for sales and supplies, and a maintenance shop. The permit was to expire one year after the date granted unless construction or use is started within this period. No building permits were found to allow construction of any structure associated with Use Permit No. ZA-3951.
 - (c) On September 11th, 1981, Use Permit No. ZA-4594 was approved to allow a metal building for sales and supplies, and a maintenance shop. The permit was to expire one year after the date granted unless construction or use is started within this period. No building permits were found to allow construction of any structure associated with Use Permit No. ZA-4594.
 - (d) On December 30, 1982, Use Permit No. ZA-5149 was approved to allow a contract business. The permit was not found in the Planning Department records. Although Use Permits at that time were to expire one year after the date granted unless construction or use is started within this period, two building permits associated with this use were found, Permit No.s 29851 and 29582. However, both building permits were deemed null and void on March 8, 1991.

(e) Although no violation case has been opened on the property, the current use is not permitted. This Use Permit application is intended to permit the current use (Service Center) and the construction of a 2,400 square foot storage structure with a security room and bathroom.

- 5. 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.

- 6. FINDING: APPEALABILITY** - The decision on this project is appealable to the Planning Commission.

EVIDENCE: Section 21.80.040.B Monterey County Zoning Ordinance (Title 21).

<p style="text-align: center;">EXHIBIT C</p> <p style="text-align: center;">Monterey County Resource Management Agency</p> <p style="text-align: center;">Planning Department</p> <p style="text-align: center;">Condition Compliance and/or Mitigation Monitoring Reporting Plan</p>	<p>Project Name: Barros</p> <p>File No: PLN060355</p> <p>APN: 141-012-005-000</p> <p>Approved by: Zoning Administrator</p> <p>Date: April 26, 2007</p>
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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>PD001 - SPECIFIC USES ONLY</p> <p>This Use Permit (PLN060355) allows a Service Center consisting of an 80 square foot storage structure, a 112 square foot storage structure, a 160 square foot storage structure, and a 2,400 square foot storage structure with security room and bathroom. The property is located at 2960 San Juan Road, Aromas (Assessor's Parcel Number 141-012-005-000), North County Area Plan. 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 the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

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		bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning Department)				
2.		PD002 - 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 141-012-005-000 on April 26, 2007. The permit was granted subject to 12 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits or commencement of use.	
3.		PD003(A) – CULTURAL RESOURCES – NON-STANDARD If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (RMA - Planning Department)	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner/ Applicant/ Archaeologist	Ongoing	

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4.		PD012(B) - LANDSCAPE PLAN AND MAINTENANCE (OTHER THAN SINGLE FAMILY DWELLING) - NON-STANDARD LANGUAGE The site shall be landscaped pursuant to Section 21.18.070.D, Monterey County Zoning Ordinance Title 21, which requires that a minimum of 10% of the developed area have landscaping covering. Prior to issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping and shall include an irrigation plan. The landscaping shall be installed and inspected prior to final inspection. 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.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of building permits	
			Install landscaping in accordance with landscaping plans approved by the Director of RMA - Planning Department	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to final inspection	
			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	
5.		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	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	

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		the issuance of building permits. (RMA – Planning Department)				
6.		PDSP1– PARKING – NON-STANDARD Parking shall be provided in compliance with Chapter 21.58, Regulations for Parking, Monterey County Zoning Ordinance Title 21. The owner/applicant shall submit a parking site plan delineating where required parking will be provided. The parking site plan shall be reviewed and approved by the Director of RMA - Planning Department prior to the issuance of building permits.	Parking site plan shall be submitted and approved by the Director of RMA - Planning Department.	Owner/Ap plicant	Prior to issuance of building permit	
7.		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 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	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	

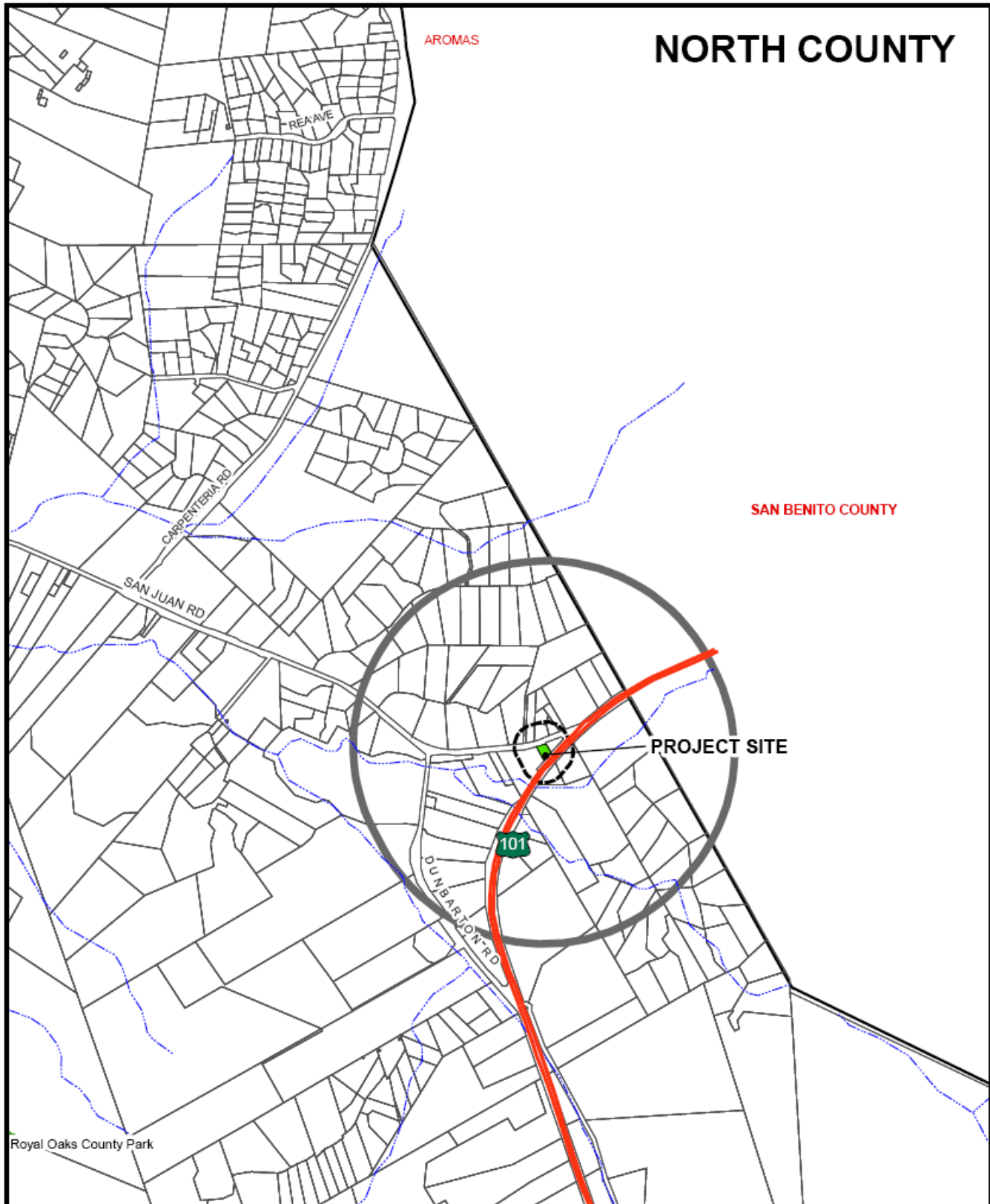
<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Aromas Tri-County Fire Protection District)				
8.		FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD) The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. (Aromas Tri-County Fire Protection District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner	Prior to framing inspection	
			Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	Prior to final building inspection	
9.		FIRE027 - ROOF CONSTRUCTION - (VERY HIGH HAZARD SEVERITY ZONE) 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 A roof construction. (Aromas Tri-County Fire Protection District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
10.		WR3 - DRAINAGE PLAN - RETENTION 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. The plan shall include retention/percolation facilities to mitigate the impact of impervious surface stormwater runoff. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)	Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant/ engineer	Prior to issuance of grading or building permits	

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11.		WR8 - COMPLETION CERTIFICATION The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that stormwater detention/retention facilities have been constructed in accordance with approved plans. (Water Resources Agency)	Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.	Owner/ Applicant/ Engineer/ Contractor	Prior to final inspect- ion	
12.		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: 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. 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)	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspect- ion/ occupancy	

NORTH COUNTY

AROMAS

SAN BENITO COUNTY



APPLICANT: BARROS

APN: 141-012-005-000

FILE # PLN060355



300' Limit



2500' Limit



City Limits



0 1,000
Feet

