

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: January 28, 2009 Time: 1:30	Agenda Item No.: 9
Project Description: Use Permit for a new/used 8,300 square foot sales car lot on Assessors Parcel Number 117-333-010-000 and a 2,688 square foot sales office, service center and service waiting area on Assessors Parcel Number 117-333-013-000.	
Project Location: 33 Porter Drive and 22 San Juan Road, Pajaro	APN: 117-333-013-000 AND 117-333-010-000
Planning File Number: PLN090158	Owner: Francisco Moran De La Torre Agent: Salvador Munoz
Planning Area: North County Non-Coastal Area Plan	Flagged and staked: No
Zoning Designation: "LC" [Light Commercial]	
CEQA Action: Categorically Exempt per Section 15302 (b), 15302 (c) and 15303 (d)	
Department: RMA - Planning Department	

RECOMMENDATION:

Staff recommends that the Zoning Administrator adopt a resolution (**Exhibit C**) to:

- 1) Categorically Exempt PLN090158 per CEQA Guidelines Section 15302 (b), 15302 (c) and 15303 (d);
- 2) Approve PLN090158, based on the findings and evidence and subject to the conditions of approval (**Exhibit C**).

PROJECT OVERVIEW:

The proposed project is for the construction of a 2,688 square foot commercial building which will include a 672 square foot detailing service garage, (2) 672 square foot auto service garages and a 672 square foot office on Assessors Parcel Number 117-333-013-000 with an open air sales car lot on Assessors Parcel Number 117-333-010-000. The use is an allowed use with the "LC" Light Commercial district and the construction of a 2,688 square foot auto service, detailing and sales office will be located within substantially the same area as historically existed.

The project site was initially cited for illegal building violations when it was discovered that the auto sales operation was also in violation of zoning regulations for operating without a Use Permit. The last Use Permit attained for an auto sales operation had expired in 1981 and the property owners had failed to come to the county and request a renewal. The subject Use Permit would legalize the operation and fully clear the zoning violation to allow the property owners to continue their auto sales use. The applicants have ceased their operation in order to avoid double fees, however they are requesting to continue their operation.

OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this project:

- √ RMA - Public Works Department
- √ Environmental Health Division
- √ Water Resources Agency
- √ North County Fire Protection District
- √ RMA - Office of Redevelopment and Housing

Agencies that submitted comments are noted with a check mark ("✓"). Conditions recommended by North County Fire Department, Public Works, Water Resources, and the Environmental Health have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached as Exhibit 1 to the draft resolution (**Exhibit C**).

The project was referred to the Castroville/Pajaro Community Redevelopment Citizens Advisory Subcommittee on October 21, 2009 for discussion. According to staff at the Redevelopment Department, the project was unanimously recommended approval 6-0. A request was made that the applicant ensure all customers parked on the applicant's property rather than neighboring properties. The CAC commended the applicant for cleaning up the property and they liked the new building design.

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

/S/Valerie Negrete

Valerie Negrete, Assistant Planner
(831) 755-5227, negretev@co.monterey.ca.us
January 11, 2010

cc: Front Counter Copy; Zoning Administrator; North County Fire Protection District; Public Works Department; Parks Department; Environmental Health Division; Water Resources Agency; RMA - Office of Redevelopment and Housing; Taven Kinison Brown, Planning Services Manager; Valerie Negrete, Project Planner; Carol Allen, Senior Secretary; Francisco Moran De La Torre, Owner; Salvador Munoz, Agent; Planning File PLN0910158

Attachments: Exhibit A Project Data Sheet
Exhibit B Project Discussion
Exhibit C Draft Resolution, including:
1. Conditions of Approval
2. Site Plan, Floor Plan and Elevations
Exhibit D Vicinity Map
Exhibit E Advisory Committee Minutes Pajaro Redevelopment Citizens
Advisory Subcommittee (CAC) October 21, 2009
Exhibit F Use Permit ZA1256, dated February 8, 1973
Exhibit G Use Permit ZA2703, dated March 11, 1976

This report was reviewed by Taven Kinison Brown, Planning Services Manager



EXHIBIT A

Project Information for PLN090158

Project Title: DE LE TORRE FRANCISCO MORAN &

Location: 33 PORTER DR & 22 SAN JUAN RD PAJAR

Primary APN: 117-333-010-000-M

Applicable Plan: North County Area Plan

Coastal Zone: No

Permit Type: Use Permit

Zoning: LC

Environmental Status: TBD

Plan Designation: COMMERCIAL

Advisory Committee: North County (Inland)

Final Action Deadline (884):

Project Site Data:

Lot Size: NA

Coverage Allowed: 50%

Existing Structures (sf): 3,562

Coverage Proposed: 17%

Proposed Structures (sf): 2,688

Height Allowed: 35'

Height Proposed: 29'

Total Sq. Ft.: 26,306'

FAR Allowed: NA

FAR Proposed: NA

Resource Zones and Reports:

Environmentally Sensitive Habitat: No

Erosion Hazard Zone: NO

Biological Report #: LIB09408

Soils Report #: N/A

Forest Management Rpt. #: N/A

Archaeological Sensitivity Zone: HIGH

Geologic Hazard Zone: VI

Archaeological Report #: LIB090409

Geologic Report #: N/A

Fire Hazard Zone: NO

Traffic Report #: LIB090406

Other Information:

Water Source: PUBLIC

Sewage Disposal (method): PUBLIC

Water Dist/Co: PAJARO ME SA

Sewer District Name: PAJARO ME SA

Fire District: NORTH COUNTY

Grading (cubic yds.): 0.0

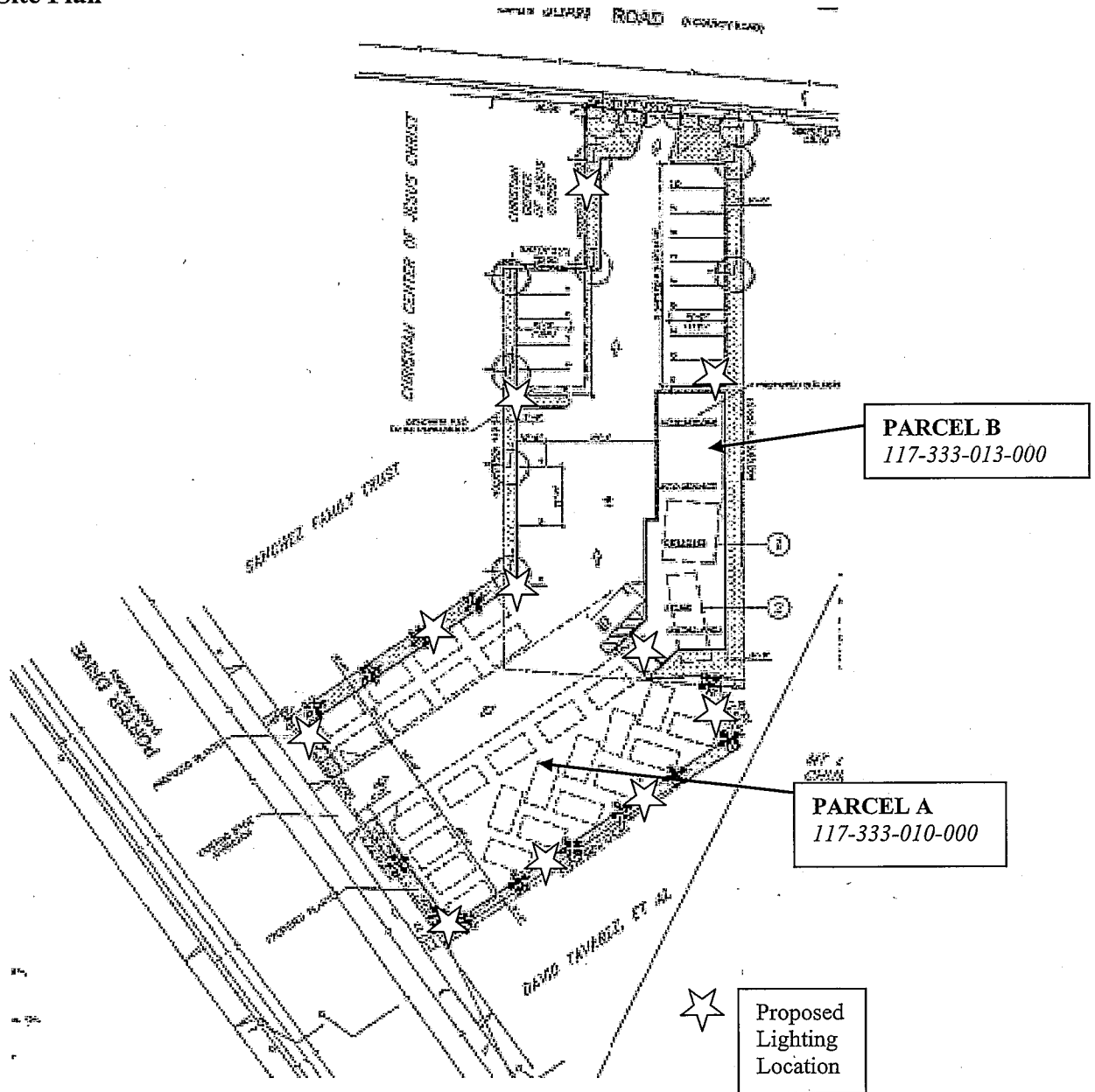
Tree Removal: N/A

EXHIBIT B
PROJECT DISCUSSION
(PLN090158 De La Torre)

Project Setting

The De La Torre property encompasses two separate lots of record (117-333-010-000 and 117-333-013-000) located at 33 Porter Drive and 22 San Juan Road, Pajaro. The site is situated in the commercial district of the North County Non-Coastal Area Plan in the community of Pajaro. The site is accessed through Porter Drive just past an existing service station.

Figure 1: Site Plan



Project Proposal

The site has operated as an auto sales lot since as early as 1973 and the property owners are requesting to legalize their operation. The property owners, Francisco and Teresa Moran would like to continue their auto sales operation and are proposing a new/used 1,824 square foot auto

sales operation with service center, and a 672 square foot office with waiting area on Assessors Parcel Number 117-333-013-000 and an approximate 10,300 square foot open air auto sales display area on Assessors Parcel Number 117-333-010-000, as shown in Figure 2. The 1,875 square foot auto shop will be used for servicing for vehicles to be displayed and purchased on the property. Vehicles can be viewed on Parcel A, and serviced, sold and detailed while customers wait on Parcel B.

Site Coverage and Location

The proposed structure will encompass 17.5% of the site coverage, whereas the district allows at least 50% coverage. Located in the commercial triangle of Pajaro, the coverage proposed is in conformance with the surrounding density of commercial uses. The use of an auto sales operation is compatible with neighboring properties. To the east of the property is a gas station and service station and to the west of the property is a two story mixed use parcel with a produce stand and apartments.

The new building will be setback six feet from the northeast property line. The rear of building, facing the gas station, will have doors and windows for added ventilation which will allow the mechanics to safely exit the building in the event of an emergency. The placement of the building was also designed to sit within the existing footprint of the previous in order to provide for a similar façade as the previous structures.

Operational Scope

The proposed operation will employ approximately 9 full time employees for sales, service and vehicle maintenance. Hours of operation will be from 9 am to 8 pm seven days a week.

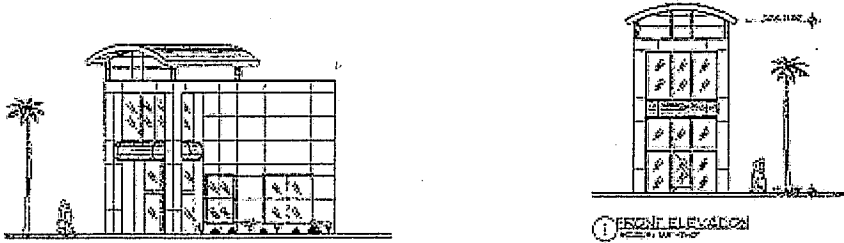
The applicant does not anticipate an intercom system and noise on the property is not anticipated to exceed Monterey County Code limitations of 85 dbA as measured from fifty feet from the property. Compliance with noise standards are governed by the Environmental Health Department. The application and materials were reviewed by the Environmental Health Department and no unusual circumstances in regards to noise were found to exist.

Signage

Because the property was historically an auto sales operation the applicant would like to continue to use the existing signage he has on the property. In 1964, the property owners attained a building permit, BP6467, for a "used car lot" sign which was 18 feet tall and 4' x 8' in area. This sign remains and there are no immediate plans for additional signage. No additional signage is proposed such as advertising balloons, banners, and pendants. These items are prohibited under Monterey County Code.

Style and Design

A modern two-story 29'foot tall building with glass storefront and metal roofing and siding will serve as the focal point of the property. The high-tech architectural style establishes improved design standards for the surrounding commercial/industrial area, and the palm trees act to complement the architecture of the building. The building will be steel framed with cement clay plaster siding and will provide a modern natural distressed look. The building height is within the district height regulations of 35' and is similar in shape and bulk as the neighboring properties.



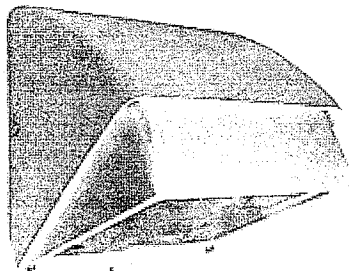
The project fits in with the existing types of business and adds a similar architectural height and setback as adjacent properties.

Landscaping

Landscaping will encompass 16% of the site which exceeds the 10% landscaping site requirement. Overall landscaping will consist of low maintenance and drought tolerant plants, shrubs and thirteen palm trees. An additional landscape feature will be the entrance of Porter Road where brush will be trimmed for enhanced visibility and a visual guide to the front of the business. The remaining corridors of the property boundaries will be maintained and landscaped with palm trees and native ground cover.

Lighting

Strategically placed light poles of no more than 14 feet high will provide focused lighting on the cars for sale on the property. Approximately 7 lights will be placed in the open auto sales area, with shielding for controlled lighting and glare. Four to five additional light poles will be placed towards the rear of the property (Assessors Parcel Number 117-333-013-000). The lighting for the operation was designed to illuminate the auto sales area and commercial building. See Figure 1 for the proposed light pole locations and wall mounted lighting locations.



Prior to issuance of building permits, the applicant will be required to prepare an Exterior Lighting Plan (**Condition 6**) to ensure all exterior lighting will 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. Exterior lights shall have recessed lighting elements and must be in conformance with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, and Part 6.

Parking

Monterey County Code requires the project provide at a minimum of 12 spaces, for an office, automobile center and open space sales. The applicant is proposing to provide a total of 20 spaces on site to accommodate customers. **Table 1** below delineates the total required parking spaces and the total parking spaces to be provided.

Table 1: De La Torre Parking Spaces proposed

Parking Required			
<i>Proposed</i>	<i>Square Footage of Use</i>	<i>Requirement</i>	<i>Proposed</i>
Office	672	1 space/ 250 Sq. Ft.	3
Auto Service/Detailing	1,824	1 space/500 Sq. Ft.	4
Open Air Sales (117-333-010-000)	8,300	1 space for 2,000 Sq. Ft.	4
Required Spaces:			11
Total to Be Provided:			20

A traffic report was prepared for the project by Pinnacles Traffic Engineering dated August 7, 2009 and concluded that the project would generate about 5-6 trips during a typical weekday PM peak hour. Trip generation during AM and PM peak commuter periods will not contribute to the levels of service at the Porter Drive and San Juan Road intersections.

Security

An existing sliding gate is located at the entrance of Porter Road and will remain (See Figure 2 below) for security. The applicant will be installing a security camera that will not be visible from the exterior of the buildings and an alarm system. Additional chain link fencing of approximately 3 feet high will be installed at each end of the proposed structure for added security.

Permit History

The site has operated historically as an auto sales lot, auto repair facility and tow truck operation. In 1973 the property owner applied for and was approved for an auto sales lot for Assessors Parcel Number 117-333-010-000 (Parcel A) under Use Permits ZA1256, which expired in February 8, 1976. Under ZA1256, the entire parcel was used as an open air sales area.

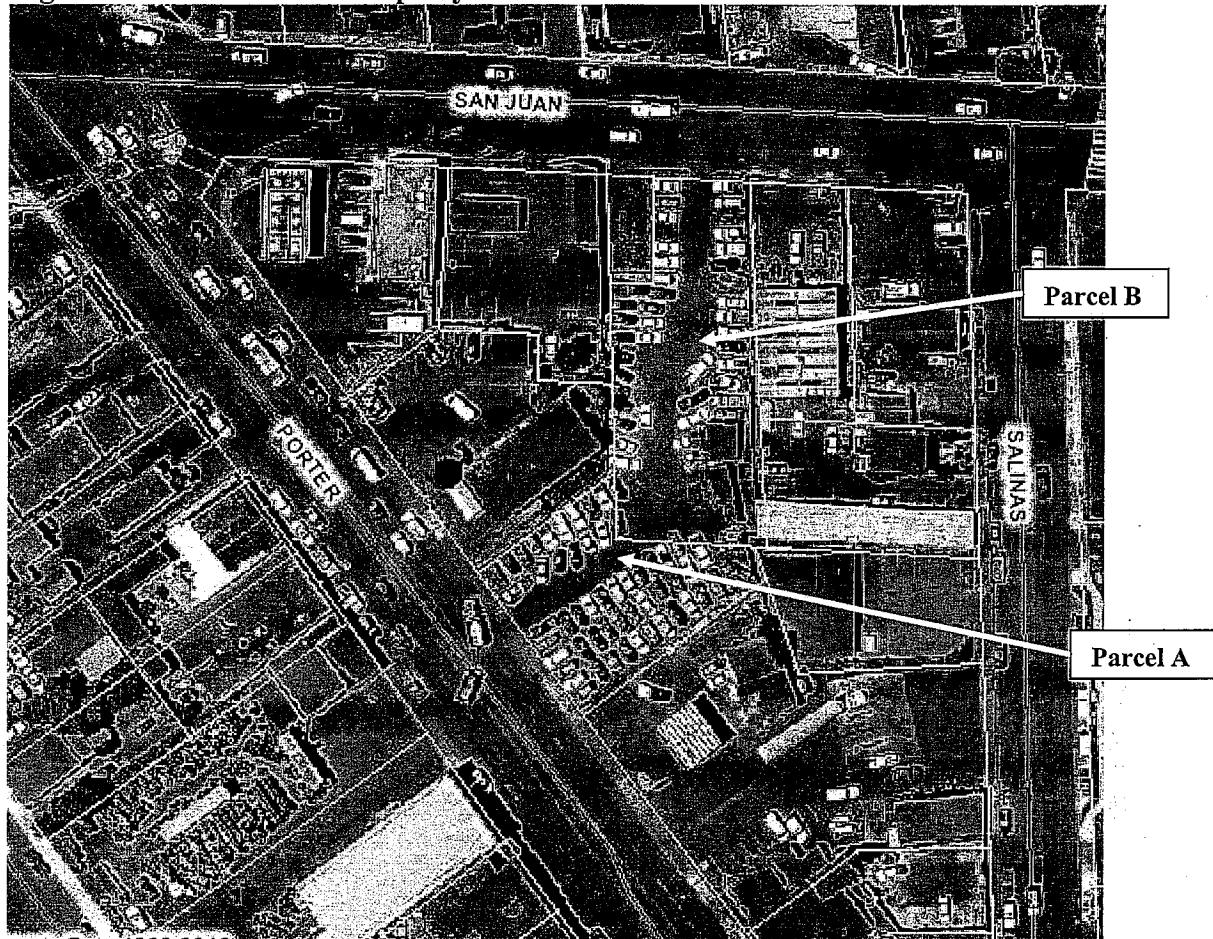
Once ZA1256 expired, the property owner applied to continue the use and the use was extended under ZA2703 to include Assessors Parcel Number 117-333-013-000 (Parcel B). ZA2703 was approved and issued in 1976 for an auto sales lot with office and 2 garages on Assessors Parcel Number 117-333-013-000 and storage on Assessors Parcel Number 117-333-010-000 (Parcel A). This Use Permit expired on March 11, 1981.

Figure 2: Photo of Usage at the Site



After 1981 the lot continued to operate as an auto sales lot, tow yard and storage without a Use Permit. Eventually the property was cited in 2002 for building violations which included a storage shed built without a building permit, the partial use of the office as a habitable structure and for continuing the operation of an auto sales lot without a Use Permit (CE020237).

Figure 3: 2007 Aerial of Property



In order to comply with the (CE020237) building violations on the property, the property owner cleared the property and to avoid double fees ceased use of the property until their Use Permit request has been processed. In August of 2009, the site was vacated of all structures and the building violations were closed.

CAC

The community of Pajaro is currently updating their Community Plan. Pajaro has been declared a Redevelopment Area, and development within the boundaries are heard by the Castroville/Pajaro Community Redevelopment Citizens Advisory Subcommittee (CAC).

The application was set before the Castroville/Pajaro Community Redevelopment Citizens Advisory Subcommittee on October 21, 2009 for discussion. The CAC was pleased with the project and design, and was happy to see the property being cleaned up. A neighboring property owner requested that Mr. De La Tore ensure that patrons do not park on neighboring properties. The applicant, Mr. De La Tore, agreed and has provided ample parking to ensure his customers remain on his property. The CAC recommended approval of the project 6-0.

CEQA

The De La Torre project encompasses two contiguous parcels. The project includes the construction of a 2,688 square foot commercial and office building in the existing footprint of the historical auto sales operation and approximately 8,300 square feet of open space sales lot for displaying of vehicles. The project is exempt from CEQA pursuant to Section 15302 (b), 15302 (c), and 15303 (d), (see Finding No. 5 and the supporting evidence). 15302 Class 2 (b) allows for the replacement of a commercial structure with a new structure with a new structure of substantially the same size, purpose and capacity. 15302 Class 2 (c) allows for replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion. The operation is a replacement or reconstruction of an existing land use where new structures will have substantially the same purpose and capacity as what had existed. Lastly, 15303 Class 3 (d) allows for the construction of new, small facilities or structures where water main, sewage, electrical, gas and other utility extensions, including street improvements serve the construction. The site is located within an existing urban community and is served by the Pajaro Sunny Mesa Community Service District.

Use Permit Findings

In order to recommend approval of an application, the Zoning Administrator must make two findings.

1. The establishment, maintenance, or operation of the use or structure applied for, will not, under the circumstances of the particular case, be detrimental to 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 improvement in the neighborhood; or to the general welfare of the County.
2. The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of this Title and any zoning violation abatement costs have been paid.

In this case, findings can be made based on the historical use of the property and compatibility with surrounding and current zoning. The properties are located in a commercial district and necessary facilities already exist. The project has been reviewed for site suitability by the RMA - Planning Department, North County Fire Protection District, Parks, Public Works, Environmental Health Division, RMA-Redevelopment Agency and Water Resources Agency and there has been no indication from these departments/agencies that the site is not suitable for the proposed development. See Finding 2 for more detail.

**EXHIBIT C
DRAFT RESOLUTION**

**Before the Zoning Administrator in and for the
County of Monterey, State of California**

In the matter of the application of:

Francisco Moran (PLN090158)

RESOLUTION NO. ----

Resolution by the Monterey County Zoning
Administrator:

- 1) Categorically Exempt, PLN090158, pursuant to 15302 (b) and (c), 15303 (c) and 15303 (d); and
- 2) Approving a Use Permit to Clear CE020237 for a new/used 8,300 square foot sales car lot on Assessors Parcel Number 117-333-010-000 and a 2,688 square foot sales office, service center and service waiting area on Assessors Parcel Number 117-333-013-000.

(PLN090158, Francisco Moran De La Torre, 33 Porter Drive and 22 San Juan Road, Pajaro, North County Non-Coastal Area Plan(APN: 117-333-010-000 and 117-333-013-000).

The De La Torre application (PLN090158) came on for public hearing before the Monterey County Zoning Administrator on January 28, 2010. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

EVIDENCE: a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:

- Monterey County General Plan,
- North County Non-Coastal Area Plan,
- Monterey County Zoning Ordinance Title 21

No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

- b) The property is situated on two parcels located at 33 Porter Drive and 22 San Juan Road, Pajaro (Assessor's Parcel Number 117-333-010-000 and 117-333-013-000, North County Non-Coastal Plan. The parcel is zoned Light Commercial, which allows auto sales operations with a Use Permit. Therefore, the project is an allowed land use for this site.
- c) In 1973, the previous property owners had operated the property as a used auto sales lot, auto tow and auto storage under Use Permit ZA1256 on 113-271-010-000 and then ZA2703 on 113-271-010-000 and 113-

- 271-013-000 respectively. ZA2703 expired in 1981 and the property continued the auto sales and repair operation until it was cited in 2002 (CE020237) for building violations of illegal construction of a shed and partial use of the office as a habitable building. The land use continued.
- d) In August 2008, the property owner removed the illegally built structures and applied for a Use Permit to operate a new/used car sales operation. To avoid additional code enforcement fees the applicant ceased the auto sales operation. The applicant is proposing to legalize the commercial operation which historically existed on the site.
 - e) The properties are contiguous lots located in a commercial district at 117-333-010-000 and 117-333-013-000. The applicants propose to construct a 2,688 square foot building which will include a 672 square foot detailing service garage, (2) 672 square foot auto service garages and a 672 square foot office on Assessors Parcel Number 117-333-013-000 with an open air sales car lot on Assessors Parcel Number 117-333-010-000. An auto sales operation has operated at this site until the early 1970's, the use is an allowed use with the "LC" Light Commercial district and the construction of a 2,688 square foot auto service, detailing and sales office will be located within substantially the same area as historically existed.
 - f) The project planner conducted a site inspection on December 21, 2009 to verify that the project on the subject parcel conforms to the plans listed above.
 - g) The project was referred to the Castroville/Pajaro Community Redevelopment Citizens Advisory Subcommittee on October 21, 2009 for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application warranted referral to the LUAC because the property is currently in a Redevelopment Area and there is an established Land Use Advisory Committee to provide comment on development in this area.
 - h) 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 PLN090158.

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, North County Fire Protection District, Parks, Public Works, Environmental Health Division, RMA-Redevelopment Agency 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 proposed structure will encompass 17.5% of the site coverage which is well under the districts allowed 50% coverage, and will be situated approximately 6 feet from the property line. The size and bulk of the proposed is similar to the height and shape of the surrounding properties. The height of the building will be at approximately 29 feet whereas the Light Commercial district regulations allow 35 feet.
 - c) The property boundaries will be landscaped and will cover 17.5% of the

site. As a condition of approval the property owner will provide a landscaping plan which will depict the exact location and size of all landscaping (Condition 5). Landscaping will be continuously maintained in a litter-free, weed-free, healthy, growing condition.

- d) Lighting will be provided strategically throughout the property and will be installed and maintained in accordance with the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. Prior to issuance of building permits, the applicant will submit a lighting plan which will specify the type and wattage of each fixture (Condition 6). As proposed the lighting will only illuminate the areas intended to be lit and each fixture will be equipped with a shield to provide for focused lighting. Lighting located on the proposed structure will be down lit and controlled, and will not be visible from either Porter Road or San Juan Road. The applicants have designed their lighting placement to limit excessive evasive lighting to the property and neighboring properties. Approximately 7 lights will be placed in the open auto sales area, Assessors Parcel Number 117-333-010-000, and approximately 4 – 5 additional light fixtures will be placed towards the rear of the property, Assessors Parcel Number 117-333-013-000, facing San Juan Road.
- e) Signage on the property was issued in 1964, under building permit, BP6467, for a “used car lot” sign which was 18 feet tall and 4’ x 8’ in area. The property owners are requesting to continue their existing operation and have no immediate plans for additional or new signage although they may reface the sign at some point.
- f) Staff identified potential impacts to Biological Resources, Archaeological Resources, and Traffic. Technical reports by outside consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff independently reviewed these reports and concurs with their conclusions. The following reports have been prepared:
- *“Preliminary Cultural Resources Reconnaissance of Assessors Parcel Numbers 117-333-010-000 and 117-333-013-000” (LIB090409) prepared by Susan Morley, Marina, CA, June 2009.*
 - *“Moran Complex Automobile Sales Project” (LIB090406) prepared by Pinnacle Traffic Engineering, Hollister, CA, August 7, 2009.*
 - *“Biological Survey for the Moran Property” (LIB090408) prepared by Ed Mercurio, Salinas, CA, August 3, 2008.*
- g) Staff conducted a site inspection on December 21, 2009 to verify that the site is suitable for this use.
- h) 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 PLN090158.

3. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to

property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by RMA - Planning Department, North County Fire Protection District, Parks, Public Works, Environmental Health Division, RMA-Redevelopment Agency and Water Resources Agency. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) Necessary public facilities are available and will be provided. The site is served by the Pajaro Sunny Masa Community Service for septic and water.
 - c) Preceding findings and supporting evidence for PLN090158.

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

- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
 - b) Staff conducted a site inspection on December 21, 2009 and researched County records to assess if any violation exists on the subject property.
 - c) There are no violations on the subject parcel, the property was cited (CE020237) for illegally building a shed and partial conversion of an office without building permits. It was discovered that the auto sales operation was operating without a Use Permit. The applicant demolished the illegal buildings and ceased the auto sales operation in order to legalize the use and avoid double fees. The code enforcement case, CE020237, is closed.
 - d) Zoning violation abatement costs, if any, have been paid.
 - e) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN090158.

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

- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines Section 15302 (b), 15302 (c), and 15303 (d), categorically exempts the construction of replacement or reconstruction of existing facilities with a new structure of substantially the same capacity; new construction in commercial building in an urbanized area of up to 10,000 square feet and where water main, sewage, electrical, gas, and other utility extensions, including street improvements of reasonable length to serve such construction.
 - b) Pursuant to 15302 (b) and (c) provide for a project that is essentially a replacement structure of the same historical use and of substantially the same disturbed area. Since early 1973, the site has been used as an auto sales operation on Assessors Parcel Number 117-333-010-000 under Use Permit No. ZA1256. In 1976, the auto sales operation was extended

to include Assessors Parcel Number 117-333-013-000 and a tow operation under Use Permit No. ZA2057. Until recently both parcels operated as an auto sales operation. The construction of a 2,688 square foot does not involve the construction of a building on an undisturbed area.

- c) CEQA Guidelines Section 15303 (d), provides for construction where infrastructure already exists such as sewage, water and roads. The site is served by Pajaro Sunny Masa Community Service and was reviewed by the Environmental Health Department for adequate services.
- d) No adverse environmental effects were identified during staff review of the development application during a site visit on December 21, 2009.

6. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors

- EVIDENCE:**
- a) Section 21.80.40 of the Monterey County Zoning Ordinance.
 - b) The Planning Commission is the Appeal Authority to consider appeals from the discretionary decisions of the Zoning Administrator made pursuant to this Title. The decision of the Planning Commission shall be final and may not be appealed

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Zoning Administrator does hereby:

- A. Categorically Exempt, PLN090158, pursuant to 15302 (b), 15302 (c), 15303 (c) and 15303 (d); and
- B. Approve a Use Permit to Clear CE020237 for a new/used 8,300 square foot sales car lot on Assessors Parcel Number 117-333-010-000 and a 2,688 square foot sales office, service center and service waiting area on Assessors Parcel Number 117-333-013-000.
- C. Adopt the Mitigation Monitoring and Reporting Program (**Exhibit 1**)

PASSED AND ADOPTED this 28 day of January, 2010 upon motion of xxxx, seconded by xxxx, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mike Novo, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE

THIS APPLICATION IS APPEALABLE TO THE PLANNING COMMISSION.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY OF THE PLANNING COMMISSION ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE [DATE]

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning Department and Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

RESOLUTION - EXHIBIT 1
Monterey County Resource Management Agency
Planning Department
Condition Compliance and/or Mitigation Monitoring
Reporting Plan

Project Name: Francisco Moran De La Torre
 File No: PLN090158 APNs: 117-333-010-000 and 177-333-013-000
 Approved by: Zoning Administrator Date: January 28,2009

**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>
RMA – Planning Department						
1.		PD001 - SPECIFIC USES ONLY This Use Permit (PLN090158) allows for a new/used 8,300 square foot sales car lot on Assessors Parcel Number 117-333-010-000 and a 2,688 square foot sales office, service center and service waiting area on Assessors Parcel Number 117-333-013-000. The property is located at 33 Porter Drive and 22 San Juan Road, Pajaro (Assessor's Parcel Number 117-333-010-000 and 117-333-013-000), North County Non-Coastal Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. 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. (RMA-Planning Department)	Adhere to conditions and uses specified in the permit. 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.	Owner/ Applicant RMA - Planning	Ongoing unless otherwise stated	

2.	<p>PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Zoning Administrator for Assessor's Parcel Number 117-333-010-000 and 117-333-013-000 on January 28, 2010. The permit was granted subject to 22 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." (RMA-Planning Department)</p>	<p>Obtain appropriate form from the RMA-Planning Department.</p> <p>The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.</p>	<p>Owner/ Applicant</p> <p>RMA- Planning</p>	<p>Prior to the issuance of grading and building permits or commencement of use.</p>	
3.	<p>PD032(A) - PERMIT EXPIRATION The permit shall be granted for a time period of 3 years, to expire on _____ unless use of the property or actual construction has begun within this period. (RMA - Planning Department)</p>	<p>The applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.</p>	<p>Owner/ Applicant</p>	<p>As stated in the conditions of approval</p>	
4.	<p>PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT 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)</p>	<p>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.</p>	<p>Owner/ Applicant/ Archaeologist</p>	<p>Ongoing</p>	

5.		<p>PD012(E) – NON-STANDARD - LANDSCAPE PLAN AND MAINTENANCE</p> <p>The site shall be landscaped. 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 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)</p>	<p>Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval.</p>	<p>Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect</p>	<p>Prior to issuance of Building Permits</p>	
					<p>Prior to Final or Certificate of Occupancy, Landscaping plan shall be installed</p>	
6.		<p>PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN</p> <p>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)</p>	<p>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.</p>	<p>Owner/ Applicant</p>	<p>Prior to the issuance of building permits.</p>	
			<p>The lighting shall be installed and maintained in accordance with the approved plan.</p>	<p>Owner/ Applicant</p>	<p>Prior to Occupancy / Ongoing</p>	

RMA – Public Works Department

7.		<p>PW0001 – ENCROACHMENT (COM) Obtain an encroachment permit from the Department of Public Works and construct a commercial driveway connection to (Porter Drive and San Juan Road) including acceleration and deceleration tapers. The design and construction is subject to the approval of the Public Works Director. (Public Works)</p>	Applicant shall obtain an encroachment permit from DPW prior to issuance of building permits and complete improvement prior to occupying or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.	Owner/ Applicant	Prior to Building/ Grading Permit Issuance.	
8.		<p>PW0043 – REGIONAL DEVELOPMENT IMPACT FEE Prior to issuance of building permits, applicant shall pay the Regional Development Impact Fee (RDIF) pursuant to Monterey Code Chapter 12.90. The fee amount shall be determined based on the parameters adopted in the current fee schedule. (Public Works)</p>	Applicant shall pay Monterey County Building Services Department the traffic mitigation fee.	Owner/ Applicant	Prior to issuance of Building Permits	

**Health Department
 Environmental Health Division**

9.		<p>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)</p>	Contact the Hazardous Materials Program of the Division of Environmental Health.	Owner/ Applicant	Continuous	
10.		<p>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)</p>	Contact the Hazardous Materials Program of the Division of Environmental Health.	Owner/ Applicant	Continuous	

11.	EH32 - DISMANTLING AREAS IMPERVIOUS SURFACE Existing dismantling areas shall be improved as necessary to be impervious, shall have secondary containment features, and shall allow for collection and treatment of any runoff from dismantling operations. (Environmental Health)	Submit an improvement design to the Division of Environmental Health for the dismantling areas for review and approval.	Owner/ Applicant	Prior to issuance of building permits.	
Monterey County Water Resources Agency					
12.	WR14 - CONCRETE SLAB INSPECTION The applicant shall provide the Water Resources Agency a FEMA Elevation Certificate completed by a registered civil engineer or licensed land surveyor, certifying the forms have been set at a height that will ensure the minimum lowest floor elevation requirement. (Water Resources Agency)	Submit a completed FEMA Elevation Certificate, based on building under construction, to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to the foundation pre-pour inspection	
13.	WR16 - ELEVATION CERTIFICATE The applicant shall provide the Water Resources Agency a FEMA Elevation Certificate, based on finished construction, completed by a registered civil engineer or licensed surveyor certifying the structure has been constructed in accordance with Chapter 16.16 of the Monterey County Code. (Water Resources Agency)	Submit a completed FEMA Elevation Certificate, based on finished construction, and completed by the engineer or surveyor, to the Water Resources Agency for review and approval.	Owner/ Applicant/ Engineer/ Surveyor	Prior to final inspection	
14.	WR22 - FLOODPLAIN RECORDATION The owner shall provide the Water Resources Agency a recorded Floodplain Notice stating: "The property is located within or partially within a floodplain and may be subject to building and/or land use restrictions." (Water Resources Agency)	Submit the recorded floodplain notice to the Water Resources Agency for review and approval. (A copy of the County's standard notice can be obtained at the Water Resources Agency.)	Owner/ Applicant	Prior to issuance of any grading or building permits	
15.	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:	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection /occupancy	

		<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>				
16.		<p>DRAINAGE PLAN (NON-STANDARD WORDING) Prior to issuance of grading or building permits, a drainage plan shall be prepared by a registered civil engineer or architect addressing on-site and off-site impacts, to include oil-grease/water separators for the paved parking areas. 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
17.		<p>ZONE A0 ELEVATION REQUIREMENTS (NON-STANDARD WORDING) The lowest floor and attendant utilities shall be constructed at a minimum elevation of at least <u>2.0</u> feet above the highest adjacent natural grade. The following shall be provided to the Water Resources Agency:</p> <ol style="list-style-type: none"> 1. A completed FEMA Elevation Certificate establishing the highest adjacent natural grade. 2. Certification from a registered civil engineer or licensed land surveyor that a reference marker has been established at the building site to provide for the floodproofing and certification of the lowest floor elevation. (Water Resources Agency) 	<p>Submit a completed FEMA Elevation Certificate to the Water Resources Agency for review and approval.</p> <p>If the reference marker is not identified on the Elevation Certificate, a letter shall be submitted to the Water Resources Agency certifying that a reference marker has been established at the building site.</p>	Owner/ Applicant	Prior to issuance of any grading or building permits	WRA

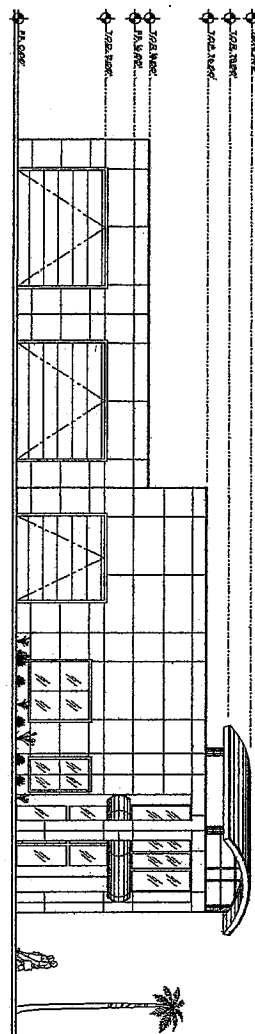
North County Fire Agency

18.	<p>FIRE007 - DRIVEWAYS Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 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 driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. Land Use Department: North County Fire District.</p>	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	<i>Applicant or owner</i>	Prior to issuance of grading and/or building permit.	
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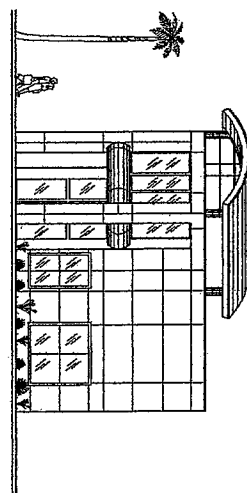
			<i>Applicant shall schedule fire dept. clearance inspection</i>	<i>Applicant or owner</i>	Prior to final building inspection.	
19.		<p>FIRE011 - ADDRESSES FOR BUILDINGS All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, 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 access to that site. Permanent address numbers shall be posted prior to requesting final clearance. Land Use Department: North County Fire District.</p>	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	<i>Applicant or owner</i>	Prior to issuance of building permit.	
				<i>Applicant or owner</i>	Prior to final building inspection	
20.		<p>FIRE022 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM - (HAZARDOUS CONDITIONS) 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</p>	<p>Applicant shall enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicant shall schedule fire dept. rough sprinkler inspection</p>	<i>Applicant or owner</i>	<p>Prior to issuance of building permit.</p> <p>Prior to framing inspection</p>	

		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 completed prior to requesting a framing inspection. Due to substandard access, or other mitigating factors, small bathroom(s) and open attached porches, carports, and similar structures shall be protected with fire sprinklers. Land Use Department: North County Fire District.	Applicant shall schedule fire dept. final sprinkler inspection		Prior to final building inspection	
21.		FIRE023 - FIRE ALARM SYSTEM - (COMMERCIAL) The building(s) shall be fully protected with an approved central station, proprietary station, or remote station automatic fire alarm system as defined by NFPA Standard 72. Plans and specifications for the fire alarm system shall be submitted by a California licensed C-10 contractor and approved prior to requesting a rough sprinkler or framing inspection. Land Use Department: North County Fire District.	Applicant shall enumerate as "Fire Dept. Notes" on plans. Applicant shall submit fire alarm plans and obtain approval. Applicant shall schedule fire alarm system acceptance test.	<i>Applicant or owner</i>	Prior to issuance of building permit. Prior to Rough Framing Prior to Final Building Inspection	
22.		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. Land Use Department: North County Fire District.	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	

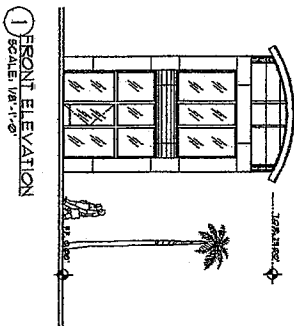
END OF CONDITIONS



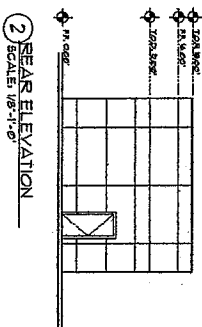
1 FRONT ELEVATION
SCALE: 1/8" = 1'-0"



2 RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



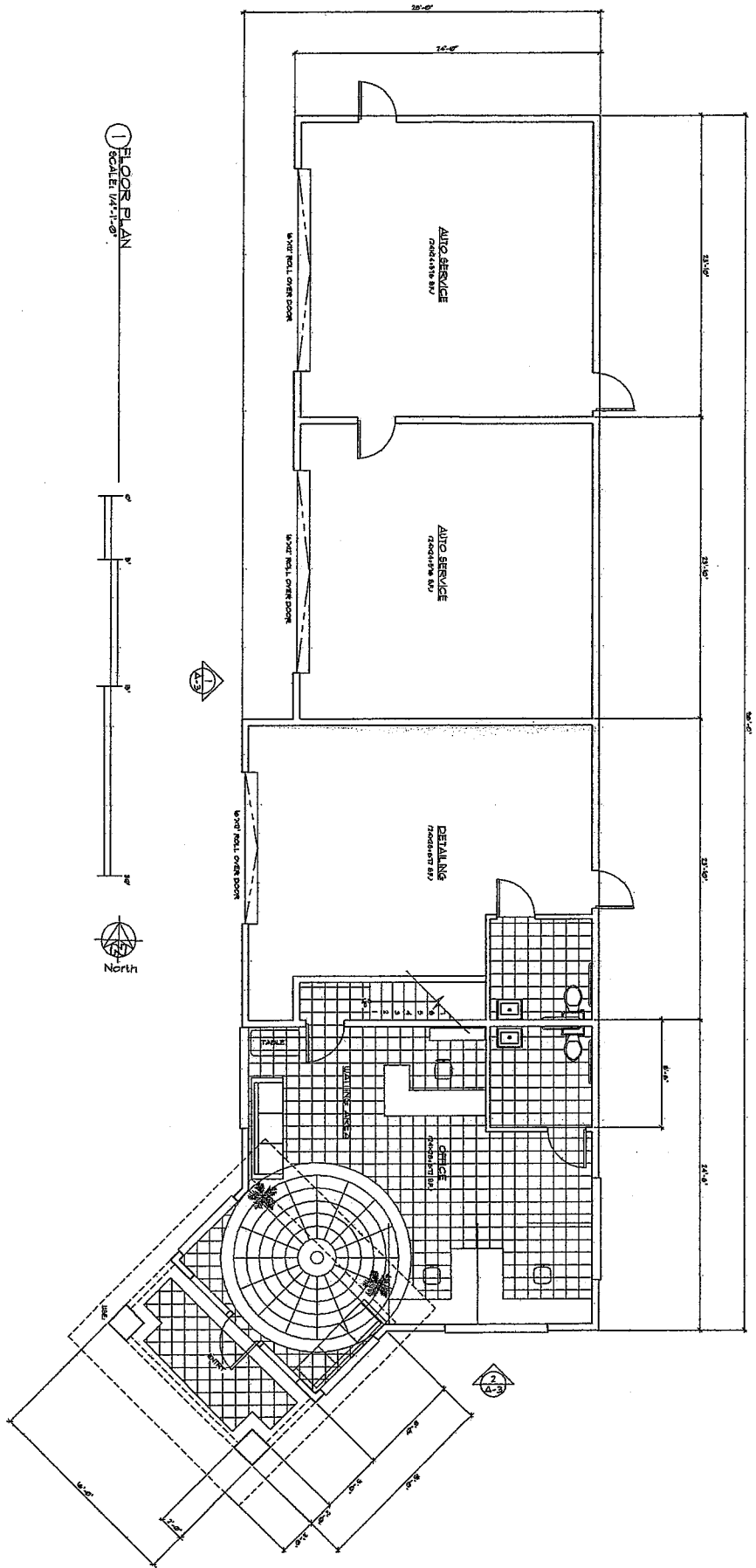
1 FRONT ELEVATION
SCALE: 1/8" = 1'-0"



2 REAR ELEVATION
SCALE: 1/8" = 1'-0"

REVIEWED BY 	S. MORAN ASSOCIATES ARCHITECTS PLANNING INTERIORS 326 Central Expressway Fremont, CA 94538 TEL: (415) 875-5555	SHEET TITLE ELEVATION	PROJECT TITLE PROPOSED MORAN COMPLEX FOR: MR. FRANCISCO MORAN 33 POTER DR. PAJARO, CA PHONE: APN: IT-333-013-000 333-013-000
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A-2



1 FLOOR PLAN
SCALE 1/4"=1'-0"



CLIENT A-2	PROJECT TITLE PROPOSED MORAN COMPLEX FOR: MR. FRANCISCO MORAN 33 PETER DR. PAJARO, CA PHONE: APN. 17-333-010-000 333-010-000	SHEET TITLE FLOOR PLAN	S. MORAN ASSOCIATES Architectural Planning Interior Design 200 California Street P.O. Box 1000 San Francisco, CA 94102	DATE: 10/10/88	SCALE: 1/4"=1'-0"	BY: [Signature]	CHK: [Signature]
	DATE: 10/10/88	SCALE: 1/4"=1'-0"		BY: [Signature]	CHK: [Signature]		

MINUTES
PAJARO REDEVELOPMENT
CITIZEN'S ADVISORY SUBCOMMITTEE
Nuevo Amanecer "New Beginnings" Apartments Community Center
15 Salinas Road, Bldg. A, Pajaro, CA
Wednesday, October 21, 2009

Meeting called to order by Arthur Melendez (Chair), at 5:38pm.

1. ROLL CALL:

Members Present: Arthur Melendez (Chair), Robert Kall, Tony Alameda, Joe Rosa (ex-officio), Jesus Arias Ortiz, Father Walter Espinoza, and Julie Oliver

New CAC members (Father Walter Espinoza, Robert Kall, and Jesus Arias Ortiz) were welcomed. Jerry Hernandez will prepare orientation binders for new members.

Members Absent: Stella Moreno (ex-officio) and Karen Miller (excused)

Other Present: David Tavarez, Mabel Alameda, Francisco Moran, Francisco Moran Salcedo, Francisco Moran, and Salvador F. Muñoz

Staff Present: Jim Cook, Jerry Hernandez, Nick Nichols, and Karina Torres

2. APPROVAL OF MINUTES: The meeting minutes of January 24, 2007; July 2, 2008; and August 6, 2008 were approved.

3. PUBLIC COMMENT PERIOD: Jim Cook provided an overview on "Redevelopment" to the CAC members.

7. RECEIVE PRESENTATION ON THE PAJARO PARK PROJECT. Nick Nichols provided an update on the status of the Pajaro Park Project. Staff will be pursuing a \$5Mil. grant in Proposition 84 funds. Submittal of the application will be due in March 2010. The park project's EIR is being prepared and should be ready by March 2010. County Counsel has informed staff that the transfer of the land from Granite to the Agency cannot occur until the EIR is complete. A new effort to involve community participation in support of the park project will be undertaken. The project will be taken before the Board of Supervisor's on October 27, 2009, and a scoping meeting will be held in the near future.

Robert Kall inquired if there would be lighting for night games and what type of security fencing would be surrounding the property. Mr. Nichols said the park is designed for daytime use and that

the engineering plans have yet to be finalized, but that solid fencing is a possibility. A member of the public expressed his concern the solid fence may attract graffiti.

It was noted that the community's support would be needed to make this project possible. Arthur Melendez volunteered to talk to surrounding neighbors.

Father Walter Espinoza said it is important for the community to feel they own the community. Jim Cook asked Father Espinoza to get the word out in the community.

- 4. CONSIDER A PROPOSED CAR SALES AND SERVICE FACILITY.** A proposal for a new and used auto sales business located at 33 Porter Drive (next to Dave Tavares' Gas Station) and 22 San Juan Road (next to Tony Alameda's roofing business) was presented to the CAC. An overview of the project was presented and the project architect, Salvador Munoz, and applicant were invited to comment. The applicant noted that the proposed project would improve the area and create jobs for the community.

Dave Tavares stated his only concern was to insure that adequate customer parking be provided on site. When the site was previously owned by someone else, customers would take up parking at his place of business.

Tony Alameda stated that since the new owners have taken control of the site they have been responsible for clearing the property and building a new fence between their property and his. He is very supportive of the project and his new neighbors.

Robert Kall questioned how difficult it would be to repurpose the new building. Given the difficult business climate should the business fail the site and new offices may need to change from auto sales. Jerry Hernandez stated that buildings are often used in other than their intended purpose. Given the open building plan it should be possible.

The CAC voiced their support of the use and how the new building would raise the design standard for the Downtown. The committee recommended the project move forward.

- 5. CONSIDER UNION PACIFIC RAILROAD'S PROPOSAL TO INSTALL A MODULAR BUILDING FOR OFFICES.** An information report on the Union Pacific Railroad's proposal to install a new modular office building was provided. Project approval is an administrative planning action. The applicant included a demolition plan to remove the old train station. The old train station has been a source of on-going vandalism and graffiti. Demolition would take care of work necessary for the future commuter rail project.

- 6. RECEIVE A REPORT ON THE AUGUST 29TH PAJARO CLEAN-UP EVENT.** Jerry Hernandez provided a report on the August 29th Pajaro cleanup event. Slides of the event were shown. Robert Kall complimented the event and asked who was responsible clearing the old Chance Gas Station site. Jim Cook mentioned that it was due to the efforts of Supervisor Calcagno.

Robert Kall asked for an update on the Sereriano and Elisa Ortiz (PLN06395) project to allow 7 single room occupancy units and modify parking requirements, and a report on the upkeep maintenance of the Pajaro Storm Drain Pump Station and Retention Pond. He noted that Public Works did not check the pump station during the previous rain storm and that 911 had to be called to address the issue. *To be placed on next agenda. Public Works will be asked to attend the meeting to address questions and concerns.*

Father Walter Espinoza said the Sheriff's are not being responsive when called. He has noticed increased gang activity and decreased Sheriff participation in the area. *To be placed on next agenda. Supervisor Calcagno and the Sheriff's department will be asked to attend the meeting to address questions and concerns.*

Arthur Melendez asked for an update on the Pajaro floodplain. *To be placed on next agenda.*

7. **ADJOURNMENT:** Art Melendez adjourned the meeting at 7:00pm.

In the matter of the application of

Lorn Leasing Company, Inc.

(Ralph DeCarlo)

117 ~~117~~ - 333-10

33 Porter Ave Watsonville

for a Use Permit in accordance with Section 32 of Ordinance No. 911, the Zoning Ordinance of the County of Monterey, to allow: the establishment of an automobile sales lot on Lots 8 & 9, Subdivision No. 1, Estate of Fanny C. Porter, Pajaro area,

came on regularly for hearing before the Zoning Administrator on February 8, 1973.

Said Zoning Administrator, having considered the application and the evidence presented relating thereto,

FINDINGS OF FACT

That the establishment, maintenance, or operation of the use or building applied for will not under the circumstances of the particular case, be detrimental to 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.

DECISION

THEREFORE, it is the decision of said Zoning Administrator that said application for a Use Permit be granted as shown on the attached sketch, and subject to the following condition:

- (1) That this permit expire on February 8, 1976.

*Advised to renew
Jan 6/76*

New operator:

*Frank Klimcheck
33 Porter Drive, Watsonville*

"Courtesy Towing Service"

724-5656

PASSED AND ADOPTED this 8th day of February, 19 73

ROBERT SLIMMON, JR.
Zoning Administrator, County of Monterey

A copy of this decision was mailed to the applicant on February 15, 1973.

USE PERMIT

AUTOMOBILE SALES LOT

C-2-R DIST.

LOCATION:

LOT 8 & 9, SUB'D NO. 1
ESTATE OF FANNY C.
PORTER



LORN LEASING CO

Exhibit F

Page 2 of 2 Pages



NO. ZA-2703

AP # 117-333-13

FINDINGS AND DECISION

In the matter of the application of

FRANK KLIMCHECK

for a Use Permit in accordance with Section 32 of Ordinance No. 911, the Zoning Ordinance of the County of Monterey, to allow: a used car lot and towing service on Lots 8 and 9, Estate of Fanny C. Porter, Subdivision No. 1, and portion of Lot 109A, Assessor's Map 1, Bolsa De San Cayetano Rancho, Pajaro area, fronting on San Juan Road and Porter Drive

came on regularly for hearing before the Zoning Administrator on March 11, 1976.

Said Zoning Administrator, having considered the application and the evidence presented relating thereto,

FINDINGS OF FACT

That the establishment, maintenance, or operation of the use or building applied for will not under the circumstances of the particular case, be detrimental to 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.

DECISION

THEREFORE, it is the decision of said Zoning Administrator that said application for a Use Permit be granted as shown on the attached sketch, and subject to the following condition:

1. That this permit expire on March 11, 1981.

Exhibit 9

Page 1 of 2 Pages

USE PERMIT

USED CAR LOT &
TOWING SERVICE

C-2-P

LOCATION:
LOTS 249, ESTATE OF FANNY C. PORTER
SUBD #1 FOR LOT 109A ASSR MAP 1,
BOLSA DE SAN CAYETANO RD, 18,000 ±

SAN JUAN RD

85'±

149'±

210'±

EXISTING OFFICES

94'±

STORAGE AREA

PORTER

100'±

DR

125'±

EXISTING GARAGES

22 San Juan Rd

Exhibit 9

Page 2 of 2 Pages

KUMCHECK