

## MONTEREY COUNTY ZONING ADMINISTRATOR

<b>Meeting:</b> October 28, 2010	<b>Time:</b> 10 a.m.	<b>Agenda Item No.:</b> 2
<b>Project Description:</b> A 3-year term Use Permit to allow an auto sales business involving the placement of a modular office building of approximately 320 square feet, outdoor car sales display area for approximately 15 cars, business signs (monument and additional affixed sign), a six foot high (6') retaining wall, paving of the existing vacant lot, employee/customer parking spaces and perimeter landscaping.		
<b>Project Location:</b> Intersection of Walsh and Merritt Streets, Castroville		<b>APN:</b> 030-255-006-000
<b>Planning File Number:</b> PLN070530		<b>Owner:</b> Salvador and Irma Argueta <b>Agent:</b> Gisela M. Grieve, Maloka Design
<b>Planning Area:</b> North County Non-Coastal		<b>Flagged and staked:</b> No
<b>Zoning Designation:</b> "MU-C" [Mixed Use-Castroville Community Plan]		
<b>CEQA Action:</b> Categorically Exempt per Section 15303(c)		
<b>Department:</b> RMA - Planning Department		

### RECOMMENDATION:

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

- 1) Categorically exempt project per Section 15303(c); and
- 2) Approve PLN070530, based on the findings and evidence and subject to the conditions of approval (**Exhibit B**).

### PROJECT OVERVIEW:

The proposed project is located in the Town of Castroville, a Redevelopment Area of the County of Monterey. The project involves the establishment of an auto sales business on a vacant 7,412 square foot lot located on the corner of Walsh and Merritt Streets in Castroville. Given the relatively small lot, the applicant proposes to have no more than 15 vehicles for sale which will be displayed as open air retail. An approximately 320 square foot modular office building is proposed for the sales office. The applicant proposes to landscape the perimeter of the lot and construct a retaining/fence wall at the rear property line between the auto sales establishment and the residential lot to the rear. The use of the project will be limited to 3 years, which at the term of the 3 years, the applicant has the opportunity to apply for a renewal of the project, which granting of, will be based on the applicant's full compliance of the permit's original conditions of approval *and* the project's consistency with the redevelopment of Castroville (read below for detailed reasoning for a 3- year term Use Permit).

#### Castroville Community Plan/Merritt Street Corridor Opportunity Area

The project site is located in the Castroville Community Plan and has a zoning designation of *Mixed Use*, which allows "open air retail" subject to the approval of a Use Permit. The Castroville Community Plan also defines the project site as located within the *Merritt Street Corridor Opportunity Area*. This *Opportunity Area* is considered the heart of Castroville's historic downtown commercial core. The existing condition of Merritt Street has commercial buildings that exhibit excellent "Main Street" traditional structures reflecting the community's past history. However, the area has heavy regional traffic, which creates excessive noise and discourages locals and tourists from visiting. Merritt Street also has an existing mix of businesses, along with vacant and underutilized properties that also detracts from the area. The objective of the *Merritt Street Corridor Opportunity Area* is to create a revitalized downtown that is safe and attractive, providing needed services for community residents, while also capturing a larger segment of the agricultural tourism and commuter retail/commercial markets. Residential development is also a goal of this

Opportunity Area in order to promote pedestrian activity centers that have a mixture of residential, commercial, office, and civic uses. Therefore, the zoning designation of Mixed Use was assigned for the area. Examples of the type of uses that are encouraged, include, drug/variety store, gift shops, cafes and restaurants, video stores, specialty food store, fabric/craft stores. Banks, medical offices, copy center, beauty salons, shoe repair professional offices and dry cleaners are also appropriate but encouraged to be located in portions of the development that do not have a high visibility.

Project's Consistency with the Castroville Community Plan/Castroville Citizen's Advisory Committee Meetings

The proposed project raised concerns with the RMA- Office of Redevelopment and Housing, who facilitates projects in all redevelopment areas of the County of Monterey. The applicant attempted several building designs, but none of them were consistent with the Castroville Community Plan goals and policies. The project was referred to the Castroville Citizen's Advisory Committee (CAC) on three different occasions (CAC Meeting dates: March 25, 2008, August 18, 2010 and on September 22, 2010) for review and recommendation to the Zoning Administrator.

Concern with Auto Sales Use Proposal

The RMA-Office of Redevelopment and Housing and the CAC voiced concern relative to the auto sales use. Although the Mixed Use Zoning Designation allowed for the use subject to the approval of a Use Permit, an Auto Sales was not a use envisioned to achieve the goals of the *Merritt Street Corridor Opportunity Area*. However, the CAC did not want to discourage businesses in this down economy and therefore, recommended the auto sales use, subject to specific conditions of approval, including type of sales office building and very specific operational conditions.

Concern with Construction and Design of Sales Office Building

The other concern by the CAC was relative to the construction of a brick and mortar building for the Auto Sales office and the outcome of the building if the Auto Sales business was not viable. Prior to the adoption of the Castroville Community Plan, a property directly across the subject site, on Merritt Street was developed as an Auto Sales facility. It was not a successful endeavor and the facility now sits unutilized. The CAC expressed that another vacant and underutilized building would be counterintuitive to the redevelopment efforts of Castroville because unutilized Auto Sales facilities do not enhance the character of the community.

New Approach: Use Permit for Auto Sales Business with a Term of 3 years

Following the August 18, 2010, CAC Meeting, the RMA- Office of Redevelopment and Housing and the RMA-Planning Department met with the applicant to discuss a special approach for the project. The proposal offered to the applicant was a termed Use Permit for the auto sales business for a period of three years with no permanent building construction, but instead the placement of a modular office building for the auto sales office at the rear of the property. The reasoning for the modular office building proposal is that it is not a permanent structure (not a brick and mortar building) and can be removed fairly easily, alleviating the concern of leaving behind a permanent structure that can be underutilized, in the event the proposed auto sales business is not viable and the applicant ceases the business operation. Although, the Castroville Community Plan Design Guidelines and Development Standards speak to a general zero front yard setback for buildings on Merritt Street, in order maintain alignment of facades along the sidewalk edge, the concern for an abandoned permanent building that may not be designed with the intent of the Design Guidelines, is a greater risk to the Castroville community.

The modular office building is subject to a condition of approval, requiring the modular office be aesthetically pleasing with great emphasis on materials, colors, architectural details (doorway and entry way approach, window design, etc.) and the design proposal be subject to the approval of the RMA-Planning and the RMA-Office of Redevelopment and Housing, prior to filing of the building permit.

The applicant, Mr. Argueta, was also informed that he has the opportunity to request a renewal of the Use Permit, provided that, the applicant requests the renewal and pays applicable fees, no later than 6 months before the Use Permit expiration. The basis for the renewal would be subject to the permit's full compliance of the original conditions of approval (see recommended conditions in **Exhibit B**) and the project's consistency with the redevelopment of Castroville (i.e. surrounding land uses at the time of renewal). The renewal request would also be referred before the Castroville Citizen's Advisory Committee for review and recommendation to the Approving Body. Staff believes that this approach would allow Mr. Argueta to initiate his business venture in a down economy, without the construction costs of a permanent building. The three year term of his Use Permit would give Mr. Argueta the opportunity to engage in business and determine its viability.

Castroville's benefit to the termed Use Permit is that in three years redevelopment efforts may be taking place and the goals and policies set forth in the Castroville Community Plan will be developing, and if so, the auto sales business may not be compatible with the surrounding uses. If the renewal for the auto sales permit is requested, Staff has the opportunity to evaluate the use in light of the developing revitalization efforts, if any, and make a recommendation of the project's permit renewal. The applicant has agreed to the recommended conditions of approval and understands that the risk exists that a renewal of the permit may be denied.

Several of the recommended conditions of approval were drafted based on the concerns of the Castroville Citizen's Advisory Committee (CAC). The project as proposed, with attached site plan, and project's recommended conditions of approval were presented to the CAC on September 22, 2010 for review and recommendation to the Zoning Administrator. The CAC recommended approval of the project with a vote of 7-0.

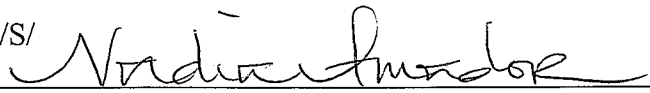
**OTHER AGENCY INVOLVEMENT:** The following agencies and departments reviewed this project:

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

Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended by North County Fire Protection District, RMA - Public Works Department, RMA - Office of Redevelopment and Housing, RMA-Planning Department, Water Resources Agency and the Sheriff's Office have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached as Exhibit 1 to the draft resolution (**Exhibit B**).

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

/s/



Nadia Amador, Associate Planner  
(831) 755-5114, amador@co.monterey.ca.us  
October 13, 2010

cc: Front Counter Copy; Zoning Administrator; North County Fire Protection District; Public Works Department; Environmental Health Bureau; Water Resources Agency; RMA - Office of Redevelopment and Housing; and Sheriff's Office. John H. Ford, Planning Services Manager; Nadia Amador, Project Planner; Carol Allen, Senior Secretary; Salvador and Irma Argueta, Owners; Maloka Design, Gisela M. Grieve, Agent; Planning File PLN070530.

Attachments: Exhibit A      Project Data Sheet  
                  Exhibit B      Draft Resolution, including:  
                                  1. Conditions of Approval  
                                  2. Site Plan  
                  Exhibit C      Vicinity Map

This report was reviewed by John H. Ford, Planning Services Manager.



## EXHIBIT A

### Project Data Sheet for PLN070530-Argueta

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#### Project Title:

<b>Location:</b> Merritt St and Walsh St, Castroville	<b>Primary APN:</b> 030-255-006-000
<b>Applicable Plan:</b> Castroville Community Plan	<b>Coastal Zone:</b> NO
<b>Permit Type:</b> Use Permit	<b>Zoning:</b> MU-C
<b>Environmental Status:</b> EXEMPT	<b>Plan Designation:</b> Mixed Use
<b>Advisory Committee:</b> Castroville Citizen's Community Plan	

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#### Project Site Data:

<b>Lot Size:</b> 7,412 sq. ft.
<b>Existing Structures (SF):</b> 0
<b>Proposed Structures (SF):</b> 320 sq. ft.
<b>Total SF:</b> 320 sq. ft.

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#### Resource Zones and Reports:

<b>Archaeological Sensitivity Zone:</b> High	<b>Soils Report #:</b> LIB080256
<b>Archaeological Report #:</b> Waived	<b>Geologic Hazard Zone:</b> VI
<b>Fire Hazard Zone:</b> Low	<b>Traffic Report #:</b> LIB080255

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#### Other Information:

<b>Water Source:</b> Castroville CSD	<b>Sewage Disposal (method):</b> Castroville CSD
<b>Water Dist/Co:</b> Castroville CSD	<b>Sewer District Name:</b> Castroville CSD
<b>Fire District:</b> No. County FPD	<b>Total Grading (cubic yds.):</b> Less than 100 cubic yards
<b>Tree Removal:</b> 0	

**EXHIBIT B  
DRAFT RESOLUTION**

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

In the matter of the application of:  
Salvador and Irma Argueta (PLN070530)

**RESOLUTION NO.**

Resolution by the Monterey County Zoning  
Administrator:

- 1) Categorically exempt project per Section 15303(c)
- 2) Approving a 3-year term Use Permit to allow an auto sales business involving the placement of a modular office building of approximately 320 square feet, outdoor car sales display area for approximately 15 cars, business signs (monument and additional affixed sign), a six foot high (6') retaining wall, paving of the existing vacant lot, employee/customer parking spaces and perimeter landscaping.

(PLN070530, Salvador and Irma Argueta,  
Castroville Community Plan (APN: 030-255-006-000))

**The Use Permit application (PLN070530) came on for public hearing before the Monterey County Zoning Administrator on October 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:

- the Monterey County General Plan,
- Castroville Community Plan,
- North County Area Plan
- Monterey County Zoning Ordinance (Title 21)

No conflicts were found to exist with the project as revised and conditioned. 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 located at the corner of Walsh Street and Merritt Street (Assessor's Parcel Number 030-255-006-000), Castroville Community Plan. The parcel is zoned MU-C, which allows open air retail sales (auto sales) subject to the approval of a Use Permit. Therefore, the use could be approved for this site if found to be consistent with the goals

- and objectives of the Castroville Community Plan, surrounding uses, and if the property is able to support such a use.
- c) The Castroville Community Plan defines the project site as located within the *Merritt Street Corridor Opportunity Area*. This *Opportunity Area* is considered the heart of Castroville's historic downtown commercial core. The existing condition of Merritt Street has commercial buildings that exhibit excellent "Main Street" traditional structures reflecting the community's past history. Merritt Street also has an existing mix of businesses, along with vacant and underutilized properties that also detracts from the area. The objective of the *Merritt Street Corridor Opportunity Area* is to create a revitalized downtown that is safe and attractive, providing needed services for community residents, while also capturing a larger segment of the agricultural tourism and commuter retail/commercial markets. Residential development is also a goal of this *Opportunity Area* in order to promote pedestrian activity centers that have a mixture of residential, commercial, office, and civic uses. Therefore, the zoning designation of Mixed Use was assigned for the area.
  - d) Auto Sales is not a use envisioned to achieve the goals of the *Merritt Street Corridor Opportunity Area*. Goal 2 of the Merritt Street Corridor Opportunity Area is to ensure that new development and redevelopment is consistent with existing development and enhances the character of the community. An Auto Sales use would not provide the building façade and mix of commercial and residential desired. The applicant attempted several building designs, but none of them were consistent with the Castroville Community Plan goals and policies. The Castroville Citizen's Advisory Committee do not want to discourage businesses in this down economy and therefore, recommend the Auto Sales use, subject to specific conditions of approval, including a term of 3 years and a modular office building, that can easily be removed, with specific design requirements (see Condition No. 21).
  - e) Prior to the adoption of the Castroville Community Plan, a property directly across Merritt Street was developed as an Auto Sales facility. It was not a successful endeavor and the facility now sits unutilized. Unutilized Auto Sales facilities do not enhance the character of the community.
  - f) Although, the *Castroville Community Plan Design Guidelines* speak to a general zero front yard setback for buildings on Merritt Street, in order maintain alignment of facades along the sidewalk edge, the concern for an abandoned permanent building that may not be designed with the intent of the *Design Guidelines*, is a greater risk to the Castroville community. Therefore, the proposed modular sales office building, that can be easily removed, is to be located at the rear of the property.
  - g) The project was referred to the Castroville Citizen's Advisory Committee (CAC) for review. The CAC held a public meeting discussing the project on March 25, 2008, August 18, 2010 and September 22, 2010. On September 22, 2010, the CAC recommended approval of the project to the Zoning Administrator with a vote of 7-0.
  - 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 PLN070530.

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, RMA-Office of Redevelopment and Housing, North County Fire Protection District, Public Works, Environmental Health Bureau, Sheriff's Office 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) Staff identified potential impacts to Soil/Slope Stability 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:
    - *“Geotechnical Investigation” (LIB080256) prepared by Aliosk, Scotts Valley, CA, August 21, 2007.*
    - *“Traffic Report” (LIB080255) prepared by Pinnacle Traffic Engineering, Hollister, CA, July 31, 2007.*
  - c) The project site is located in a High Archaeological Sensitivity Area. Staff Archaeologist, Lynne Mounday, inspected the site on October 22, 2007 and concluded no Archaeological Report was necessary, approving an Archaeological Waiver.
  - d) Staff conducted a site inspection on October 22, 2007 to verify that the site is suitable for this use.
  - e) 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 PLN070530.
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, RMA-Office of Redevelopment and Housing, North County Fire Protection District, Public Works, Environmental Health Bureau, Sheriff's Office 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 provided by the Castroville Community Services District (water and sewer).
  - c) The project was referred to the Environmental Health Bureau, Hazardous Materials Division. The Division provided clearance of the project.
  - d) Preceding findings and supporting evidence for PLN070530.



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 October 22, 2007 and researched County records to assess if any violation exists on the subject property.
- c) 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 PLN070530.
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 15303 (c) categorically exempts up to 4 commercial structures not exceeding 10,000 square feet in floor area in urbanized areas, on sites zoned for such use if not involving the use of significant amounts of hazardous substances, where all public services and facilities are available.
- b) The project involves a modular office building of less than 400 square feet of floor area, located in an urbanized area (Town of Castroville) where the zoning allows for commercial uses (Mixed Use zoning) and where the use does not involve a significant amount of hazardous substances (see **Finding 3, Evidence c**) and where public services and facilities are available (see **Finding 3, Evidence b**).
- c) No adverse environmental effects were identified during staff review of the development application during a site visit on October 22, 2010.
- d) See preceding and following findings and supporting evidence.
6. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Planning Commission.
- EVIDENCE:** Section 21.80.040.B Monterey County Zoning Ordinance

### **DECISION**

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

- A. Categorically exempts the Project per Section 15303(c); and
- B. Approve a 3-year term Use Permit to allow an auto sales business involving the placement of a modular office building of approximately 320 square feet, outdoor car sales display area for approximately 15 cars, business signs (monument and additional affixed sign), a six foot high (6') retaining wall, paving of the existing vacant lot, employee/customer parking spaces and perimeter landscaping, in general conformance with the attached sketch (**Exhibit 2**) and subject to the conditions (**Exhibit 1**), both exhibits being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 22nd day of October, 2010 upon motion of \_\_\_\_\_, seconded  
by \_\_\_\_\_, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Mike Novo, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON

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

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. See Condition No. 5 for specific language of term of permit.

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

Project Name: Argueta, Salvador and Irma  
 File No: PLN070530 APNs: 030-255-006-000  
 Approved by: Zoning Administrator Date: October 28, 2010

*\*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>
<b>RMA – Planning Department</b>						
1.		<p><b>PD001 - SPECIFIC USES ONLY</b>            This 3-year term Use Permit (PLN070530) allows an auto sales business involving the placement of a modular office building of approximately 320 square feet, outdoor car sales display area for approximately 15 cars, business signs (monument and affixed sign), a six foot high (6') retaining wall, paving of the existing vacant lot, employee/customer parking spaces and perimeter landscaping. The property is located at the corner of Walsh Street and Merritt Street (Assessor's Parcel Number 030-255-006-000), Castroville Community 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. <b>(RMA-Planning Department)</b></p>	<p>Adhere to conditions and uses specified in the permit.</p> <p>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.</p> <p>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 bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled.</p>	<p>Owner/ Applicant</p> <p>RMA - Planning</p> <p>WRA  RMA - Planning</p>	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>
2.		<b>PD002 - NOTICE-PERMIT APPROVAL</b> The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Zoning Administrator for Assessor's Parcel Number 030-255-006-000 on October 28, 2010. The permit was granted subject to 29 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." <b>(RMA-Planning Department)</b>	Obtain appropriate form from the RMA-Planning Department.  The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.	Owner/ Applicant  RMA- Planning	Prior to the issuance of grading and building permits or commencement of use.	
3.		<b>PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT</b> 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. <b>(RMA - Planning Department)</b>	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	
4.		<b>PD004 - INDEMNIFICATION AGREEMENT</b> The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or	Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County.  Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA –	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits,	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. <b>(RMA - Planning Department)</b></p>	Planning Department.		use of the property, , whichever occurs first and as applicable.	
5.		<p><b>PDSP001 - PERMIT TIME/YEAR &amp; DATE (NON-STANDARD)</b>  The permit is approved on a temporary basis for a time period 3 years, to expire on October 28, 2013. The applicant may apply for a renewal of the Use Permit, provided that, the applicant requests the renewal and pays applicable fees, no later than 6 months before the permit</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	As stated in the conditions of approval.	

<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>
		expiration date of October 28, 2013. At this time, the project will be re-evaluated by applicable land use departments, including the Monterey County RMA-Office of Redevelopment and Housing. The re-evaluation shall consist of permits' full compliance with conditions of approval and the project's consistency with the redevelopment of Castroville. The project will also go before the Castroville Citizen's Advisory Committee for review and recommendation to the Approving Body. <b>(RMA – Planning Department)</b>				
6.		<b>PD007 - GRADING-WINTER RESTRICTION</b> No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department. <b>(RMA – Planning Department and Building Services Department)</b>	Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.	Owner/ Applicant	Ongoing	
7.		<b>PD009 - GEOTECHNICAL CERTIFICATION</b> Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. <b>(RMA – Planning Department and Building Services Department)</b>	Submit certification by the geotechnical consultant to the RMA – Building Services Department showing project's compliance with the geotechnical report.	Owner/ Applicant/ Geotechnical Consultant	Prior to final inspection.	
8.		<b>PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN</b> 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.	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	Prior to Occupancy / Ongoing	

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		The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. <b>(RMA – Planning Department)</b>				
9.		<b>PDSP002 - LANDSCAPE PLAN AND MAINTENANCE (OTHER THAN SINGLE FAMILY DWELLING) (NON-STANDARD)</b> The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed drought-tolerant landscaping, including six (6) street trees along Merritt Street and Walsh Street. It shall also include the proposed retaining wall at the rear of the property. The masonry retaining wall, of approximately 3-4 feet in height, shall have an attached wood fence at the upper portion and together shall not be more than 6 foot high above ground level. The retaining wall/fence shall be screened with plantings (i.e. vines, ivy, etc). The landscaping plan shall include an irrigation plan. The landscaping shall be installed and inspected prior to occupancy/commencement of use. 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. <b>(RMA – Planning Department)</b>	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	
			The landscaping shall be installed and inspected.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to Occupancy / Commencement of Use	
			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	
10.		<b>PDSP003 - BANNERS, FLAGS, PENNANTS</b> There shall be no flags, banners, pennants, or other attention getting devices, other than the approved signs (for approved signs, see <b>Condition No. 11</b> ), on the property. <b>(RMA – Planning Department)</b>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Prior to use/ Ongoing	

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11.		<p><b>PDSP004 – MONUMENT SIGN AND ADDITIONAL BUSINESS SIGN</b></p> <p>There may not be more than one (1) monument sign identifying the auto sales business. The monument sign shall not be over 4 feet in height. The monument sign shall be located so as not to create a line of sight obstruction from any road. There may also be one (1) regular business sign on site affixed to the manufactured sales office. This sign shall have an area not to exceed one square foot for each one foot of structure frontage; provided, that the sign shall be of a minimum 50 square feet and no more than 300 square feet. Both the monument sign and the regular business sign shall be aesthetically attractive and compatible with their surroundings and subject to the provisions of the Castroville Community Plan. The applicant shall submit a sign plan for the review and approval of the RMA-Planning Department prior to the issuance of any building permits. <b>(RMA – Planning Department)</b></p>	The applicant shall submit a sign plan for the review and approval of the RMA-Planning Department prior to the issuance of any building permits.	Owner/ Applicant	Prior to issuance of Building Permits	
12.		<p><b>PDSP005- LIMITATIONS OF NUMBER OF AUTO SALES VEHICLES (DISPLAY/FOR SALE VEHICLES) ON SITE (NON-STANDARD)</b></p> <p>There shall be no more than 15 vehicles “for sale” on site in accordance with the approved site plan showing the allowed display area and number of “for sale” vehicles the display area is able to accommodate. <b>(RMA - Planning Department)</b></p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing	
13.		<p><b>PDSP006- PARKING OF AUTO SALES VEHICLES PROHIBITED ON STREET(S) (NON-STANDARD)</b></p> <p>The auto sales business shall not use public street right-of-way to display vehicles. <b>(RMA - Planning Department)</b></p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing	



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14.		<b>PDSP007- CUSTOMER PARKING AND EMPLOYEE PARKING STALLS SHALL BE IDENTIFIED ON-SITE (NON-STANDARD)</b> The site shall designate customer parking and employee parking stalls. (RMA - Planning Department)	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing	
15.		<b>PDSP008- SERVICING OF VEHICLES PROHIBITED (NON-STANDARD)</b> No servicing of vehicles shall be permitted on site. (RMA - Planning Department)	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing	
16.		<b>PDSP009- VEHICLES NOT IN OPERABLE CONDITION (NON-STANDARD)</b> All cars on the site shall be in operable and good aesthetic condition. (RMA - Planning Department)	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing	
17.		<b>PDSP0010- NO OUTDOOR STORAGE (NON-STANDARD)</b> No outdoor storage, other than vehicles, shall be permitted on the site. (RMA - Planning Department)	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing	
18.		<b>PDSP0011- PAVED AND STRIPED (NON-STANDARD)</b> The site shall be paved with asphalt and striped. (RMA - Planning Department)	Prior to occupancy, the site shall be paved and striped.	Owner/ Applicant	Prior to occupancy	
19.		<b>PDSP0012-CURBS AND GUTTERS</b> Curbs and gutters shall be improved, as required and if necessary. (RMA - Planning Department; RMA-Office of Redevelopment and Housing; Public Works)	If determined applicable by responsible agencies, curbs and gutters shall be improved prior to occupancy.	Owner/ Applicant	Prior to occupancy	

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20.		<b>PDSP0013 - UTILITIES - UNDERGROUND</b> New utilities for the modular office building and distribution lines shall be placed underground. <b>(RMA - Planning Department; Public Works)</b>	Install and maintain utility and distribution lines underground.	Owner/ Applicant	Ongoing	
21.		<b>PDSP0014 - MANUFACTURED OFFICE (AUTO SALES OFFICE BUILDING) DESIGN REVIEW AND APPROVAL</b> The applicant shall submit a copy of design details, including elevations for the manufactured office used as the auto sales office, to the RMA-Planning Department for review and approval. The design shall be aesthetically pleasing and be to the satisfaction of the RMA - Planning Department and the RMA-Office of Redevelopment and Housing. The design shall have great emphasis on materials, colors and architectural details (doorway and entry way approach, window design, etc.) The design shall assure the visual integrity of the development, consistent with the Castroville Community Plan. <b>(RMA - Planning Department; RMA-Office of Redevelopment and Housing)</b>	The design details shall be submitted to the RMA-Planning Department for review and approval, prior to the filing of the building permit application.	Owner/ Applicant	Submit to the RMA-Planning Department prior to the filing of the building permit application.	
<b>RMA – Public Works Department</b>						
22.		<b>PW0001 – ENCROACHMENT (COM)</b> Obtain an encroachment permit from the Department of Public Works and construct a commercial driveway connection to Walsh Street including acceleration and deceleration tapers. The design and construction is subject to the approval of the Public Works Director. <b>(Public Works)</b>	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.	

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23.		<b>PW0007 – PARKING STD</b> 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. <b>(Public Works)</b>	Applicant’s engineer or architect shall prepare a parking plan for review and approval.	Owner/ Applicant/ Engineer	Prior to Building/ Grading/ Permits Issuance	
24.		<b>PWSP001 – CASTROVILLE TRAFFIC MITIGATION FEES</b> Applicant shall contribute a pro rata share of the cost improvements in the Castroville Community Plan. <b>(Public Works)</b>	Applicant shall pay Monterey County Building Services Department the traffic mitigation fee.	Owner/ Applicant	Prior to issuance of Building Permits	
25.		<b>PW0043 – REGIONAL DEVELOPMENT IMPACT FEE</b> 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. <b>(Public Works)</b>	Applicant shall pay Monterey County Building Services Department the traffic mitigation fee.	Owner/ Applicant	Prior to issuance of Building Permits	
<b>Monterey County Water Resources Agency</b>						
26.		<b>WR40 - WATER CONSERVATION MEASURES</b> 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.	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/occupancy	

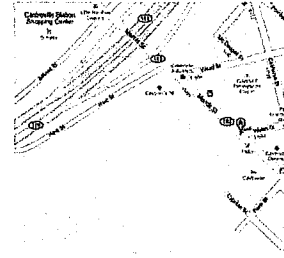
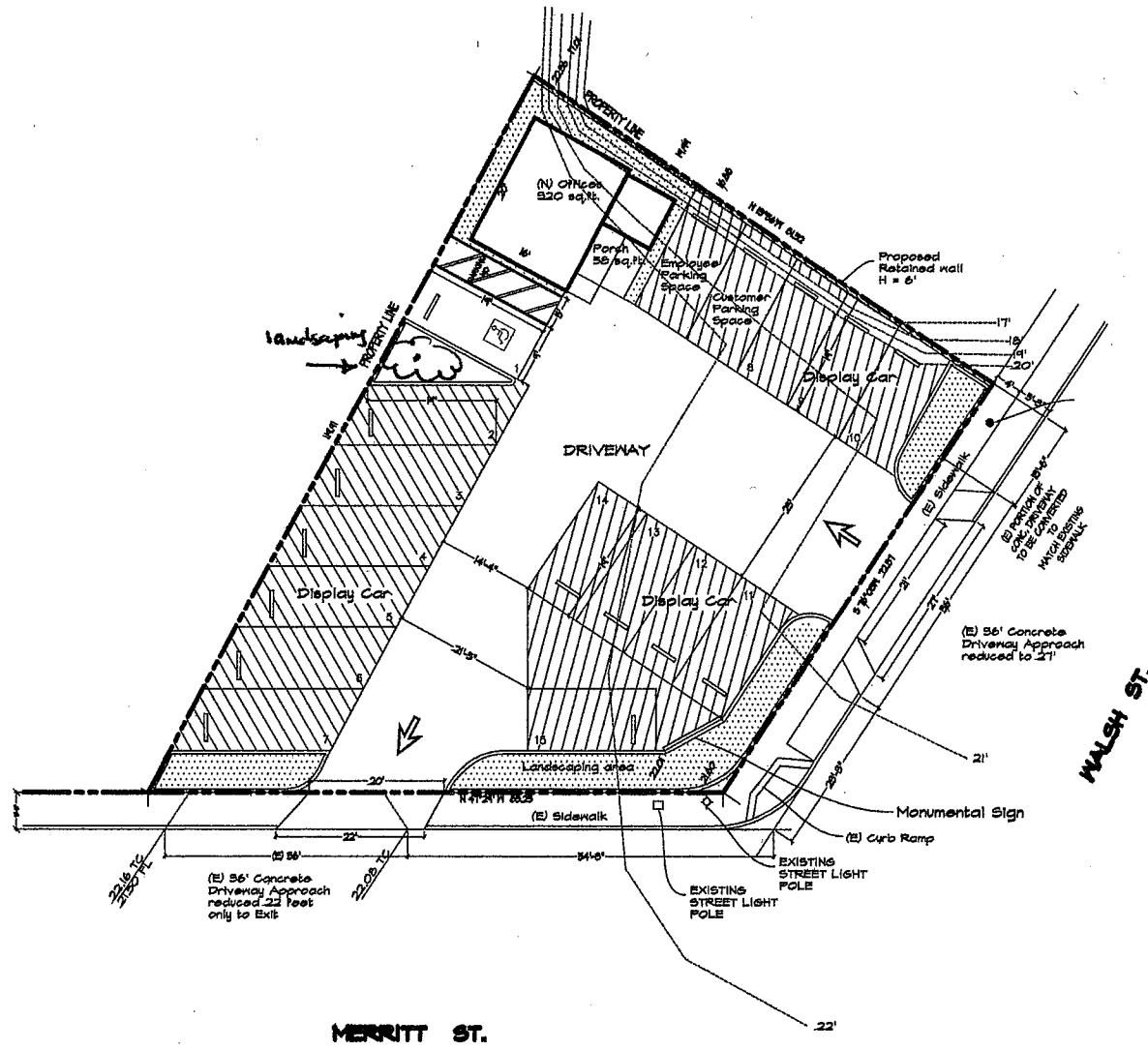
Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		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)				
<b>North County Fire Agency</b>						
27.		<b>FIRE011 - ADDRESSES FOR BUILDINGS</b> 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. (North County Fire District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	

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28.		<b>FIRE026 - ROOF CONSTRUCTION (STANDARD)</b> 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. <b>(North County Fire District)</b>	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
<b>Monterey County Sheriff's Office</b>						
29.		<b>SHERIFF SP001-PUBLIC SAFETY GUIDELINES (NON-STANDARD)</b> Prior to occupancy, each applicant shall comply with the Monterey County Public Safety and Security Guidelines to the satisfaction of the Monterey County Sheriff's Office. These general conditions require the applicant to work with the Sheriff's Office to implement satisfactory public safety and security measures in new development, both private and commercial. When making application for building plans, each applicant shall obtain from the Sheriff's Office specific public safety guidelines tailored to the project. To obtain assistance in compliance with the Monterey County Sheriff's Public Safety and Security Guidelines, each applicant shall contact the Community Services Representative assigned to the local area where the project is being built. Ask for the Crime Prevention Specialist and ask for assistance with the Monterey County Sheriff's Public Safety and Security Guidelines. <b>(Monterey County Sheriff's Office)</b>	Prior to making application for building plans, each applicant shall obtain from the Sheriff's Office specific public safety guidelines tailored to the project. Each applicant shall contact the Community Services Representative assigned to the local area where the project is being built. Ask for the Crime Prevention Specialist and ask for assistance with the Monterey County Sheriff's Public Safety and Security Guidelines.	Applicant or owner	Prior to making application for building permit	
			Prior to occupancy, each applicant shall comply with the Monterey County Public Safety and Security Guidelines to the satisfaction of the Monterey County Sheriff's Office.	Applicant or owner	Prior to occupancy	

**END OF CONDITIONS**

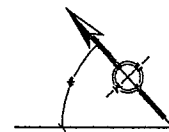
EXHIBIT B-2

# USED CAR DISPLAY & MOBILE SALES OFFICE



PROJECT DATA:	
Lot Area	7,412 sq.ft.
Zoning	LC-Z
Occupancy Type	B
Number of Buildings	1
Height	12' approx.
Number of Stories	1
Total Area Covered	384 sq.ft. = 5.2% c
Driveway & Parking Area	5,148 sq.ft. = 69.2%
Total Landscape Area of Lot	1,078 sq.ft. = 14.6%

**SCOPE OF WORK**  
 Install a Mobile Office with ADA Restroom = area 384  
 Asphalt Pavement = On Display areas and Driveway  
 Landscaping work  
 Reduce the existing concrete driveway approach to c



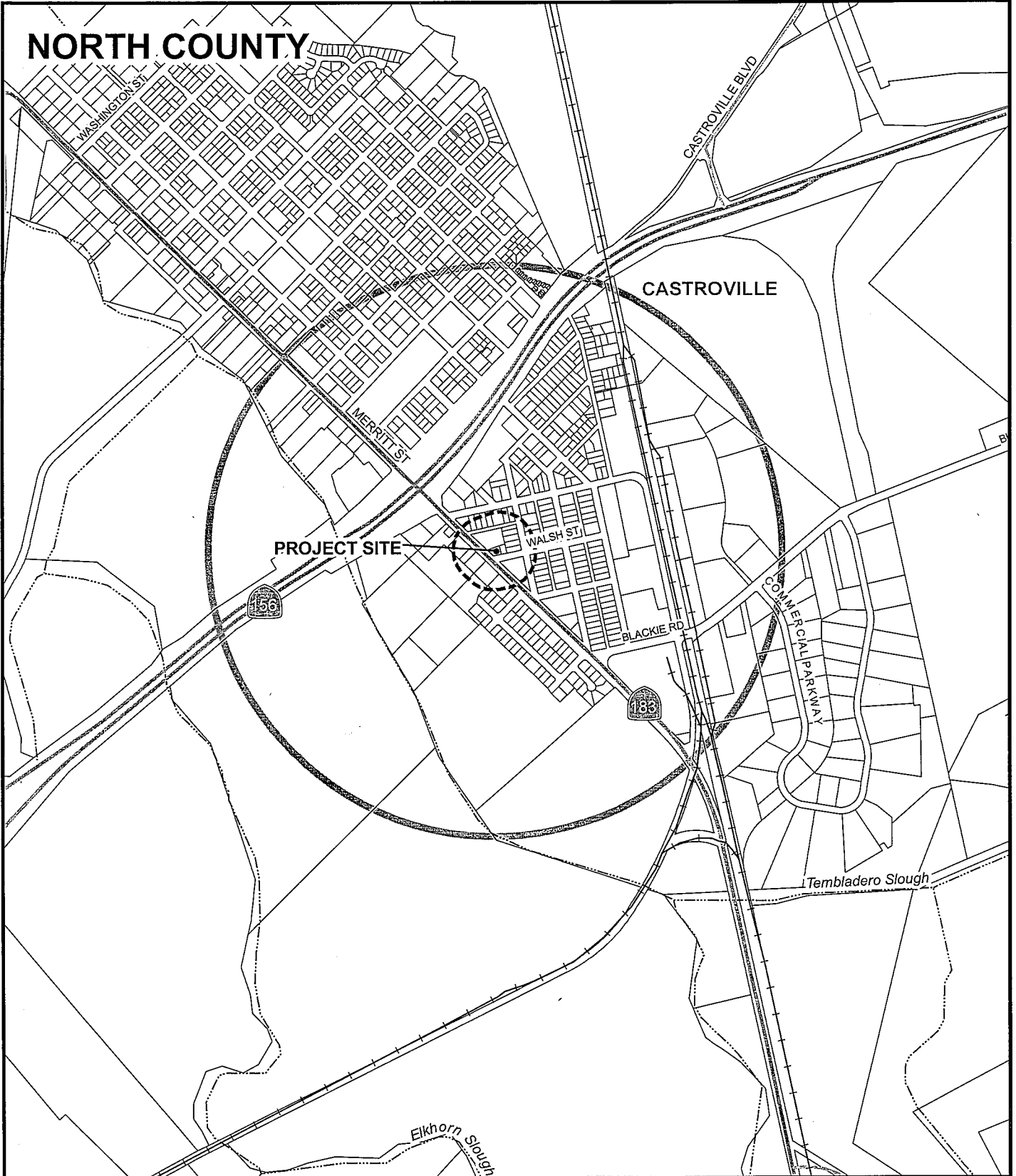
MERRITT ST.

WALSH ST.

**SITE PLAN**  
 Scale: 1/8" = 1'

**SITE**  
 Scale: 1/8" = 1'

EXHIBIT C



APPLICANT: ARGUETA		
APN: 030-255-006-000	FILE # PLN070530	
300' Limit	2500' Limit	City Limits

