

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: August 30, 2012	Time: 1:35 P.M.	Agenda Item No.: 2
Project Description: Consider a Combined Development Permit consisting of: 1) A Use Permit for the partial demolition (15,907 square feet) and reconstruction (15,043 square feet) of structures at an existing agricultural processing plant and the implementation of vehicular circulation improvements; and 2) a Variance for building site coverage (5.5% proposed/5% allowed, a net reduction from the existing 5.7%); and 3) a Variance for structure height (40 feet proposed/35 feet allowed) to accommodate agricultural processing equipment. Grading to consist of approximately 14,450 cubic yards of cut and 3,000 cubic yards of fill.		
Project Location: 33155 Gloria Rd, Gonzales		APN: 223-042-022-000
Planning File Number: PLN120312		Owner: Harkins Road Building LP/Misionero Vegetables Agent: Belli Architectural Group
Planning Area: Central Salinas Valley Area Plan		Flagged and staked: No
Zoning Designation: Farmlands 40 Acre-Minimum		
CEQA Action: Categorically Exempt per Section 15301 (e)(1)		
Department: RMA - Planning Department		

RECOMMENDATION:

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

- 1) Find the project CEQA exempt per Section 15301 (e)(1); and
- 2) Approve PLN120312, based on the findings and evidence and subject to the conditions of approval (**Exhibit C**).

PROJECT OVERVIEW:

The project site, located approximately 2.5 miles east of the city of Gonzales, has accommodated various agricultural support facilities for over 40 years. The current owner (Misionero Vegetables) is proposing the demolition of two existing storage buildings, totaling 15,907 square feet, and a 15,043 square foot addition to the existing 32,008 square foot processing facility in the form of a refrigerated vegetable processing/warehousing room. Also proposed are circulation improvements to include a new truck access point, a relocated truck parking area, and four loading docks in addition to the existing five docks. The proposed project includes two Variance requests. One of the variances is to allow for approximately 5.5% building coverage in excess of the allowed coverage of 5%. The project, as proposed, however, will result in a net reduction from the current structural coverage of 5.7%. The second Variance would allow for 40 feet of structural height, in excess of the 35 feet allowed, in order to accommodate produce processing equipment.

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

- ✓ RMA - Public Works Department
- ✓ Environmental Health Bureau
- ✓ Water Resources Agency
- Gonzales Rural Fire Protection District
- RMA - Building Department
- RMA - Office of Redevelopment and Housing

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

The project was presented by staff and the applicant to the Monterey County Agricultural Advisory Committee and was considered at their July 26, 2012 meeting. The project was subsequently approved by the Committee, as proposed, by a vote of 9-0 (**Exhibit G**). The project was not referred to a Land Use Advisory Committee as no such committee currently exists for the Central Salinas Valley Planning Area.

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



Steve Mason – Assistant Planner
(831) 755-5228, masons@co.monterey.ca.us
August 17, 2012

cc: Front Counter Copy; Zoning Administrator; Gonzales Rural Fire Protection District; Public Works Department; Environmental Health Bureau; Water Resources Agency; Laura Lawrence, Planning Services Manager; Steve Mason, Project Planner; Carol Allen, Senior Secretary; Misionero Vegetables, Owner; David Peartree (Belli Architectural Group), Agent; The Open Monterey Project; LandWatch; Planning File PLN120312

Attachments:	Exhibit A	Project Data Sheet
	Exhibit B	Project Discussion
	Exhibit C	Draft Resolution and Conditions of Approval
	Exhibit D	Site Plan, Floor Plan, Elevations & Site Photos
	Exhibit E	Vicinity Map and Satellite Photo
	Exhibit F	Variance Justification Letter
	Exhibit G	Agricultural Advisory Committee Meeting Minutes

This report was reviewed by Laura Lawrence, Planning Services Manager




EXHIBIT A

Project Information for PLN120312

Project Information:

Project Name:	HARKINS ROAD BUILDING LIMITED PARTNERSHIP (MISIONERO VEGETABLES)	
Location:	33155 GLORIA RD GONZALES	
Permit Type:	Combined Development Permit	
Environmental Status:	Exempt	Final Action Deadline (884): 9/23/2012
Existing Structures (sf):	74024	Coverage Allowed: 5%
Proposed Structures (sf):	73160	Coverage Proposed: 5.7%
Total Sq. Ft.:	73160	Height Allowed: 35'
Tree Removal:	n/a	Height Proposed: 40'
Water Source:	Private Well #03071205	FAR Allowed: n/a
Water Purveyor:	n/a	FAR Proposed: n/a
Sewage Disposal (method):	Septic	Lot Size: 30
Sewer District:	n/a	Grading (cubic yds.): 17450

Parcel Information:

Primary APN:	223-042-022-000	Seismic Hazard Zone:	Terrace Deposits
Applicable Plan:	Central Salinas Valley	Erosion Hazard Zone:	Low
Advisory Committee:	n/a	Fire Hazard Zone:	Moderate
Zoning:	F/40	Flood Hazard Zone:	FEMA "A" Rating
Land Use Designation:	Farmlands 40 AC min	Archaeological Sensitivity:	Low
Coastal Zone:	No	Viewshed:	No
Fire District:	Gonzales Rural FPD	Special Setbacks on Parcel:	No

Reports on Project Parcel:

Soils Report #:	LIB120251
Biological Report #:	n/a
Geologic Report #:	n/a
Forest Management Rpt. #:	n/a
Archaeological Report #:	n/a
Traffic Report #:	n/a

EXHIBIT B DISCUSSION

Project Description

Background:

The project site has accommodated various agricultural support facilities for over 40 years. Available permit history indicates that the project parcel was the location of "Salinas Valley Feed Yard" at least as early as 1969, and operated in-part as a cattle operation through the 1970s. By the late 1980s, these operations had been replaced by processing and packaging of produce, under the direction of Hoson Produce Company. Numerous Use Permits were granted in the 1980s and 90s, primarily for vacuum cooling facilities, cooler additions and maintenance structures. The site has been under the ownership and operation of Misionero Vegetables since 2009.

Site & Surroundings:

The project site is a semi-rectangular-shaped 30.7-acre parcel fronting the north side of Gloria Road, approximately 2.5 miles east of the city of Gonzales. The site is located within the Central Salinas Valley Planning Area, and is designated in said Plan as being located within a "Farmlands 40 Acre-Minimum" area.

Proposed Project:

The project proposes the demolition of two existing storage buildings, totaling 15,907 square feet, and a 15,043 square foot addition to the existing 32,008 square foot processing facility in the form of a refrigerated vegetable processing/warehousing room. Once implemented, the expanded area would modernize the on-site facilities and provide improved sanitation. Circulation improvements will include a new truck access-way off of Harkins Road, a relocated truck parking area and four loading docks in addition to the existing five docks. Circulation efficiency will result.

On-site operations will continue as they have been previously established, with no intensification of use:

Hours of operation

- Administration Office: Monday-Friday 8AM-5PM (summer) and 8AM-4:30 PM (winter)
- Sales Office: Monday-Friday 7AM-4PM and Saturday 7AM-11AM
- Processing: Monday-Thursday and Saturday 6AM-1AM (Multiple shifts/Friday usually dark)
- Sanitation: Monday-Thursday and Saturday 11PM-7AM

Employees on-site

- 230 processing employees: March-November (Multiple shifts/includes 8 sanitation workers)
- 85 processing employees: November-March (Multiple shifts/5 sanitation)
- 30 office employees: year-around

Project Issues

The intent of this project is to allow facility improvements while also providing an overarching use permit to cover to all of the agricultural activities presently occurring at the site.

The applicant's stated goal of the project is to create a more modern and efficient work area for existing processes and to enhance food safety. Additionally, the enhanced circulation system and infrastructure improvements are expected to result in a net reduction of truck traffic, as finished goods are currently being transferred from the site to a warehouse in Salinas to be loaded onto customer trucks, whereas these improvements will allow this loading to now occur on-site. On-site safety is also expected to benefit from the circulation improvements, as the site is currently serviced through a single access point which accommodates all traffic, ranging from small vehicles, to medium-sized trucks to semi-trucks. A separate entrance and parking area for larger trucks would be implemented as a result of the project (See **EXHIBIT D** – Site Plan).

The proposed project includes two Variance requests. One of the Variances would be to allow for approximately 5.5% building coverage in excess of the allowed coverage of 5%. Staff notes that if the parcel were to be 40-acres in size, as is typical of parcels in the vicinity and of the same zoning designation, that the proposed coverage would total approximately 4.2%. Additionally, the project, as proposed, will result in a net reduction of overall structural coverage from 5.7% to 5.5%. The second Variance would allow for 40 feet of structural height, in excess of the 35 feet allowed according to zoning code. This additional structural height is required in order to accommodate new processing equipment and allow sufficient overhead clearance for sanitation purposes.

The southeastern portion of the property is designated by FEMA with an "A" flood rating due to the site's close proximity to McCoy Creek (seasonal) which skirts the southern edge of the parcel. This "A" rating denotes a 1% annual chance of flooding. This "A"-zoned portion covers only approximately 20% of the subject parcel, and does not infringe upon any of the area designated for development in this project.

The project proposes approximately 14,500 cubic yards of cut and 3,000 cubic yards of fill grading. Much of this quantity of grading stems from construction recommendations in the geotechnical report commissioned for the project (LIB120251) which advises the processing of the "surficial" 2 feet of soil at the proposed truck parking area.

Environmental Review

The project is deemed CEQA Exempt per Section 15301 (e)(1):

Article 19. Categorical Exemptions

15301. EXISTING FACILITIES

(e) Additions to existing structures provided that the addition will not result in an increase of more than:

(1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less.

This exemption is applicable due to the fact that the project will result in a net decrease of 864 square feet to the existing structures. Additionally, the project does not fall under any of the criteria which might preclude "Exempt" status, pursuant to CEQA 15300.2 ("Exceptions"): The project will not create an impact within a particularly sensitive environment, will not have a significant cumulative impact or effect on the environment, is not located on a registered Hazardous Waste Site, and will not result in damage to scenic or historic resources.

Recommendation

Staff is recommending approval of the project as proposed.

EXHIBIT C
DRAFT RESOLUTION AND CONDITIONS
OF APPROVAL

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:

Harkins Road Building LP/Misionero Vegetables (PLN120312)

RESOLUTION NO. ----

Resolution by the Monterey County Zoning
Administrator:

- 1) Finding the project CEQA exempt per Section 15301 (e)(1); and
- 2) Approving a Combined Development Permit consisting of: 1) A Use Permit for the partial demolition (15,907 square feet) and reconstruction (15,043 square feet) of structures at an existing agricultural processing plant and the implementation of vehicular circulation improvements; and 2) a Variance for building site coverage (5.5% proposed/5% allowed, a net reduction from the existing 5.7%); and 3) a Variance for structure height (40 feet proposed/35 feet allowed) to accommodate agricultural processing equipment. Grading to consist of approximately 14,450 cubic yards of cut and 3,000 cubic yards of fill.

[PLN120312. Harkins Road Building LP/Misionero Vegetables, 33155 Gloria Road, Gonzales, Central Salinas Valley Area Plan (Assessor's Parcel Number 223-042-022-000)]

The Harkins Road Building LP/Misionero Vegetables application (PLN120312) came on for public hearing before the Monterey County Zoning Administrator on August 30, 2012. 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 2010 Monterey County General Plan;
 - Monterey County Zoning Ordinance (Title 21); and
 - Central Salinas Valley Area Plan

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 located at 33155 Gloria Road, Gonzales (Assessor's Parcel Number 223-042-022-000), Central Salinas Valley Area Plan. The parcel is zoned F/40, "Farmland/40-acre minimum", which allows for agricultural support facilities with an approved Use Permit. Therefore, the project is an allowed land use for this site.
- c) The project planner conducted a site inspection on May 24, 2012 to verify that the project on the subject parcel conforms to the plans listed above.
- d) The project was referred to the Agricultural Advisory Committee and was considered at their July 26, 2012 meeting, at which time the project was approved by the Committee with a vote of 9-0. The project was not referred to a Land Use Advisory Committee as no such committee currently exists for the Central Salinas Valley Planning Area.
- e) The proposed circulation system and infrastructure improvements are expected to result in a net reduction of truck traffic, as finished goods are currently being transferred from the site to a warehouse in Salinas to be loaded onto customer trucks, whereas these improvements will allow this loading to now occur on-site. Consequently, the project will result in increased compatibility with General Plan /Central Salinas Valley Area Plan policy CSV-6.1: "Energy-efficient business and agricultural practices are encouraged."
- f) 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 PLN120312.

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, Gonzales Rural Protection District, Public Works, Environmental Health Bureau, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. The proposed project is intended to improve the functionality of an existing use. Conditions recommended have been incorporated.
 - b) Staff conducted a site inspection on May 24, 2012 to verify that the site is suitable for this use.
 - c) 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 Report for the proposed addition Misionero Vegetables," (LIB120251), prepared by Grice Engineering, Inc., Salinas, CA, June 2012
 - "Summary of proposed drainage improvements to Misionero

- d) 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 PLN120312.

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, Gonzales rural Fire Protection District, Public Works, Environmental Health Bureau, and the 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. The proposed project is intended to improve the overall safety of an existing use.
 - b) Necessary public facilities are available. Water is to be provided by a private well and an existing septic system on-site will continue to be utilized.
 - c) Preceding findings and supporting evidence for PLN120312.

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 May 24, 2012 and researched County records to assess if any violation exists on the subject property.
 - c) There are no known violations on the subject parcel.
 - d) 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 PLN120312.

5. **FINDING:** **VARIANCE** - Variances shall only be granted based upon the following Findings:

1. That because of special circumstances applicable to the subject property, including the size, shape, topography, location or surroundings, the strict application of development standards in the Monterey County Codes is found to deprive the subject property of privileges enjoyed by other properties in the vicinity under and under identical zoning classification;
2. That the variance shall not constitute a grant of privileges

inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated;

3. A Variance shall not be granted for a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

- EVIDENCE:**
- a) The property has a zoning designation of Farmlands 40 Acre-Minimum – “F/40”.
 - b) Agricultural support facilities are allowed with an approved Use Permit in the “F/40” zone pursuant to Monterey County Code Section 21.30.050.I.
 - c) Parcels of the same “F/40” zoning classification are typically 40 acres in size. The proposed structural square footage (73,160) would result in only 4.2% coverage were it to occur on a 40-acre parcel instead of the subject 30.7-acre parcel.
 - d) The Applicant is requesting to allow for 5.5% of building site coverage, in excess of the 5% allowed pursuant to Monterey County Coastal Zoning Code (Title 21). Approval of this request will serve to bring the subject property more closely into compliance with the Zoning Code as it would result in a net reduction from the current site coverage of 5.7%.
 - e) The applicant is requesting a Variance for structure height (40 feet proposed/35 feet allowed) in order to accommodate modernized processing equipment and to provide overhead clearance allowing for optimum sanitation access.

6. **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) **CEQA GUIDELINES SECTION**
California Environmental Quality Act (CEQA) Guidelines Section 15301 (e)(1), categorically exempts additions to existing facilities provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less.
 - b) The project, as proposed, will result in a net decrease of 864 square feet to the existing structures.
 - c) The project does not fall under any of the criteria which might preclude “Exempt” status, pursuant to CEQA 15300.2 (“Exceptions”); The project will not create an impact within a particularly sensitive environment, will not have a significant cumulative impact or effect on the environment, is not located on a registered Hazardous Waste Site, and will not result in damage to scenic or historic resources.
 - d) No adverse environmental effects were identified during staff review of the development application during a site visit on May 24, 2012.

7. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Planning Commission.

- EVIDENCE:** Section 21.80.040.B Monterey County Zoning Ordinance (Designation of Appeal Authority).

DECISION

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

1. Find the project CEQA exempt per Section 15301 (e)(1)
2. Approve a Combined Development Permit consisting of: 1) A Use Permit for the partial demolition (15,907 square feet) and reconstruction (15,043 square feet) of structures at an existing agricultural processing plant and the implementation of vehicular circulation improvements; and 2) a Variance for building site coverage (5.5% proposed/5% allowed, a net reduction from the existing 5.7%); and 3) a Variance for structure height (40 feet proposed/35 feet allowed) to accommodate agricultural processing equipment. Grading to consist of approximately 14,450 cubic yards of cut and 3,000 cubic yards of fill, in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 30th day of August, 2012

Jacqueline Onciano, 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.

Form Rev. 05-09-2012

Monterey County Planning Department

DRAFT Conditions of Approval/Mitigation Monitoring Reporting Plan

PLN120312

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning Department

**Condition/Mitigation
Monitoring Measure:**

This permit: (A Combined Development Permit consisting of: 1) A Use Permit for the partial demolition (15,907 square feet) and reconstruction (15,043 square feet) of structures at an existing agricultural processing plant and the implementation of vehicular circulation improvements; and 2) a Variance for building site coverage (5.5% proposed/5% allowed, a net reduction from the existing 5.7%); and 3) a Variance for structure height (40 feet proposed/35 feet allowed) to accommodate agricultural processing equipment. Grading to consist of approximately 14,450 cubic yards of cut and 3,000 cubic yards of fill. The property is located at 33155 Gloria Road, Gonzales (Assessor's Parcel Number 223-042-022-000), Central Salinas Valley Area Plan), was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled.
(RMA - Planning Department)

**Compliance or
Monitoring
Action to be Performed:**

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning Department

**Condition/Mitigation
Monitoring Measure:**

The applicant shall record a Permit Approval Notice. This notice shall state:
"A Combined Development Permit (Resolution Number TBD) was approved by the Zoning Administrator for Assessor's Parcel Number 223-042-022-000 on August 30, 2012. The permit was granted subject to 18 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department."
Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use.
(RMA - Planning Department)

**Compliance or
Monitoring
Action to be Performed:**

Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning Department.

3. PD007 - GRADING-WINTER RESTRICTION

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: 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. (RMA - Planning Department and Building Services Department)

Compliance or Monitoring Action to be Performed: Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.

4. PD014(A) - LIGHTING - EXTERIOR LIGHTING PLAN

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: 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)

Compliance or Monitoring Action to be Performed: Prior to the issuance of building permits:
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.

Prior to Occupancy/ Ongoing:
The lighting shall be installed and maintained in accordance with the approved plan.

5. PD016 - NOTICE OF REPORTS

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states:
"A geotechnical report has been prepared for this parcel by Grice Engineering, Inc., dated June, 2012 and is on record in the Monterey County RMA - Planning Department, Library No. 120251. All development shall be in accordance with this report."

and

"A drainage report has been prepared for this parcel by WWD Engineering, dated July 11, 2012 and is on record in the Monterey County RMA - Planning Department, Library No. 120277. All development shall be in accordance with this report."

(RMA & Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits:
Proof of recordation of this notice shall be furnished to the RMA - Planning Department.

Prior to occupancy:
Submit proof that all development has been implemented in accordance with the report to the RMA - Planning Department for review and approval.

6. PD035 - UTILITIES - UNDERGROUND

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: All new utility and distribution lines shall be placed underground. (RMA - Planning Department; Public Works)

Compliance or Monitoring Action to be Performed: Install and maintain utility and distribution lines underground.

7. PD032(A) - PERMIT EXPIRATION

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The permit shall be granted for a time period of 3 years, to expire on August 30, 2015 unless use of the property or actual construction has begun within this period. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: As stated in the conditions of approval:
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.

8. PD047 - DEMOLITION/DECONSTRUCTION OF STRUCTURES (MBUAPCD RULE 439)

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: In accordance with Monterey Bay Unified Air Pollution Control District Rule 439, construction plans shall include "Demolition and Deconstruction" notes that incorporate the following work practice standards:
1. Sufficiently wet the structure prior to deconstruction or demolition. Continue wetting as necessary during active deconstruction or demolition and the debris reduction process;
2. Demolish the structure inward toward the building pad. Lay down roof and walls so that they fall inward and not away from the building;
3. Commencement of deconstruction or demolition activities shall be prohibited when the peak wind speed exceeds 15 miles per hour.
All Air District standards shall be enforced by the Air District.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of a demolition permit:
Applicant shall incorporate a "Demolition/ Deconstruction" note on the demolition site plan that includes, but is not limited to, the standards set forth in this condition.

During demolition:
Contractor shall obtain any required Air District permits and conduct all deconstruction or demolition activities as required by the Air District.

9. PDSP001 - BUSINESS OPERATION PLAN

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Business Operations at Misionero Vegetables shall be conducted within substantial conformance of the following parameters:

- Administration Office: Monday-Friday 8AM-5PM (summer) and 8AM-4:30 PM (winter)
- Sales Office: Monday-Friday 7AM-4PM and Saturday 7AM-11AM
- Processing: Monday-Thursday and Saturday 6AM-1AM (Multiple shifts/Friday usually dark)
- Sanitation: Monday-Thursday and Saturday 11PM-7AM

- 230 processing employees: March-November (Multiple shifts/includes 8 sanitation workers)
- 85 processing employees: November-March (Multiple shifts/5 sanitation)
- 30 office employees: year-around

Compliance or Monitoring Action to be Performed: Ongoing:
Operations at the site shall be conducted within substantial conformance of the parameters outlined in this condition.

10. EHSP01 - HAZARDOUS MATERIALS BUSINESS RESPONSE PLAN (NON-STANDARD)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: The applicant shall maintain an up-to-date Business Response Plan that meets the standards found in the California Code of Regulations, Title 19, Division 2, Chapter 4 (Hazardous Material Release Reporting, Inventory, and Response Plans) and the California Health and Safety Code, Division 20, Chapter 6.95 (Hazardous Material Release Response Plans and Inventory). (Environmental Health)

Compliance or Monitoring Action to be Performed: Prior to issuance of construction permits, the owner/applicant shall submit the signed Business Response Plan - Memorandum of Understanding (form available from EHB) that specifies an approved Business Response Plan must be on file with Hazardous Materials Management Services prior to bringing hazardous materials on site and/or commencement of operations.

11. EHSP02 - HAZARDOUS WASTE CONTROL (NON-STANDARD)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: The facility shall comply with the California Code of Regulations, Title 22, Division 4.5 and the California Health and Safety Code, Chapter 6.50 for the proper handling, storage and disposal of Hazardous Waste as approved by the Environmental Health Bureau (EHB). (Environmental Health)

Compliance or Monitoring Action to be Performed: Prior to commencement of operations the owner/applicant shall register the facility with Hazardous Materials Management Services of EHB. Comply with all conditions of the Hazardous Materials permit.

12. EHSP03 - HAZ MAT RMP (NON-STANDARD)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: Submit a Risk Management Plan to the Director of Environmental Health for review and approval. The RMP shall comply with Title 19, Chapter 4.5 of the California Code of Regulations and Chapter 6.95, Article 2 of the California Health & Safety Code. (Environmental Health)

Compliance or Monitoring Action to be Performed: Prior to commencement of operations the owner/applicant shall submit plan to the Hazardous Materials Program of the Environmental Health Bureau for review and approval.

13. EHSP04 - HAZARDOUS MATERIALS - SPILL PREVENTION COUNTERMEASURE CONTROL PLAN (NON-STANDARD)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: Above ground storage tanks for petroleum products (i.e. diesel, oil, and gasoline) with greater than 1320-gallons of capacity or for cumulative storage of more than 1320-gallons shall meet the standards as found in the California Health and Safety Code, Section 25270 et seq. and of the Code of Federal Regulations, Part 112 (commencing with Section 112.1) of Subchapter D of Chapter 1 of Title 40. (Environmental Health)

Compliance or Monitoring Action to be Performed: Prior to issuance of construction permits the owner/applicant shall submit a Spill Prevention Countermeasure Control (SPCC) Plan to Hazardous Materials Management Services of the Environmental Health Bureau for review and approval. Once approved, the applicant shall maintain an up-to-date SPCC Plan.

14. EHSP05 - SEPTIC SYSTEM PROTECTION (NON-STANDARD)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: Provide for protection of the existing septic system from vehicular traffic. Install a sufficient number of bollards or similar constraints that will provide protection of the septic tank and leach field area from vehicular traffic. (Environmental Health)

Compliance or Monitoring Action to be Performed: Prior to final inspection of the construction permit, the owner/applicant shall install a sufficient number of bollards or similar constraints that will provide for adequate protection of the septic tank and septic leach field area from vehicular traffic.

15. PD041 - HEIGHT VERIFICATION

Responsible Department: Building

Condition/Mitigation Monitoring Measure: The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection. The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit associated with this project. (RMA - Planning Department and Building Services Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading or building permits:
The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection

Prior to the foundation pre-pour inspection:
The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA-Building Services Department for review and approval, that the height of first finished floor from the benchmark is consistent with what was approved on the building permit.

Prior to the final inspection:
The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA - Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit.

16. WR1 - DRAINAGE PLAN

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide a drainage plan, prepared by a registered civil engineer or licensed architect, to mitigate on-site and off-site impacts from impervious surface stormwater runoff. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to issuance of any construction permit, the owner/applicant shall submit a drainage plan with the construction permit application.

The Building Services Department will route a plan set to the Water Resources Agency for review and approval.

17. WR31 - FLOODPLAIN NOTICE

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide a recorded floodplain notice stating: "The property is located within or partially within a Special Flood Hazard Area and may be subject to building and/or land use restrictions." (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to issuance of any construction permit, the owner/applicant shall submit a signed and notarized floodplain notice to the Water Resources Agency for review and approval. When approved, the applicant shall record the notice.

A copy of the standard notice can be obtained at the Water Resources Agency or online at: www.mcwra.co.monterey.ca.us.

18. PW0001 - ENCROACHMENT (COM)

Responsible Department: Public Works Department

**Condition/Mitigation
Monitoring Measure:** Obtain an encroachment permit from the Department of Public Works and construct a commercial driveway connection to Gloria Road. The design and construction is subject to the approval of the Public Works Director. (Public Works Department)

**Compliance or
Monitoring
Action to be Performed:** Prior to Building/Grading Permit Issuance Owner/Applicant shall obtain an encroachment permit from DPW. Improvements are to be completed prior to occupancy or commencement of use. Applicant is responsible to obtain all permits and environmental clearances

EXHIBIT D
SITE PLAN, FLOOR PLANS,
ELEVATIONS & SITE PHOTOS

BUILDING LIMITATIONS

BUILDING AREA			
QCC	CONST.	ALLOWABLE AREA	ALLOWABLE AREA
TYPE	TYPE	STORIES	INCREASE C.B.C.-50/3
F-2	TYPE MB	23,000	2
TOTAL ALLOWABLE AREA = 23,000 x 50% = 11,500 SQ.FT.		30% x 50% = 15,000 SQ.FT.	
ACTUAL BUILDING AREA = 21,81		ACTUAL BUILDING AREA / ALLOWABLE AREA = 15,048 SQ.FT.	

PARKING CALCULATION

USE CLASSIFICATION	TYPE	LOAD FACTOR	PARKING SPACES REQUIRED
PROCESSING	1-2	18,488 / 1,500	96.6
STORAGE	3-2	14,688 / 1,500	97.9
OFFICE	B	5,884 / 1,300	34.1
TOTAL PARKING SPACES REQUIRED			194.6
TOTAL PARKING SPACES PROVIDED			191

ACCESSIBLE VAN SPACE	REQUIRED	PROVIDED
11 OF THE 47 ADX SPACES PROVIDED IS VAN ACCESSIBLE.	5	6

A) ACCESSIBLE PARKING SPACES PER VAN & C.D.

1) THE TOTAL PARKING SPACES PROVIDED CALCULATION

B) BICYCLE PARKING SPACES REQUIRED

PARKING SPACES SHALL BE THE MINIMUM REQUIRED NUMBER

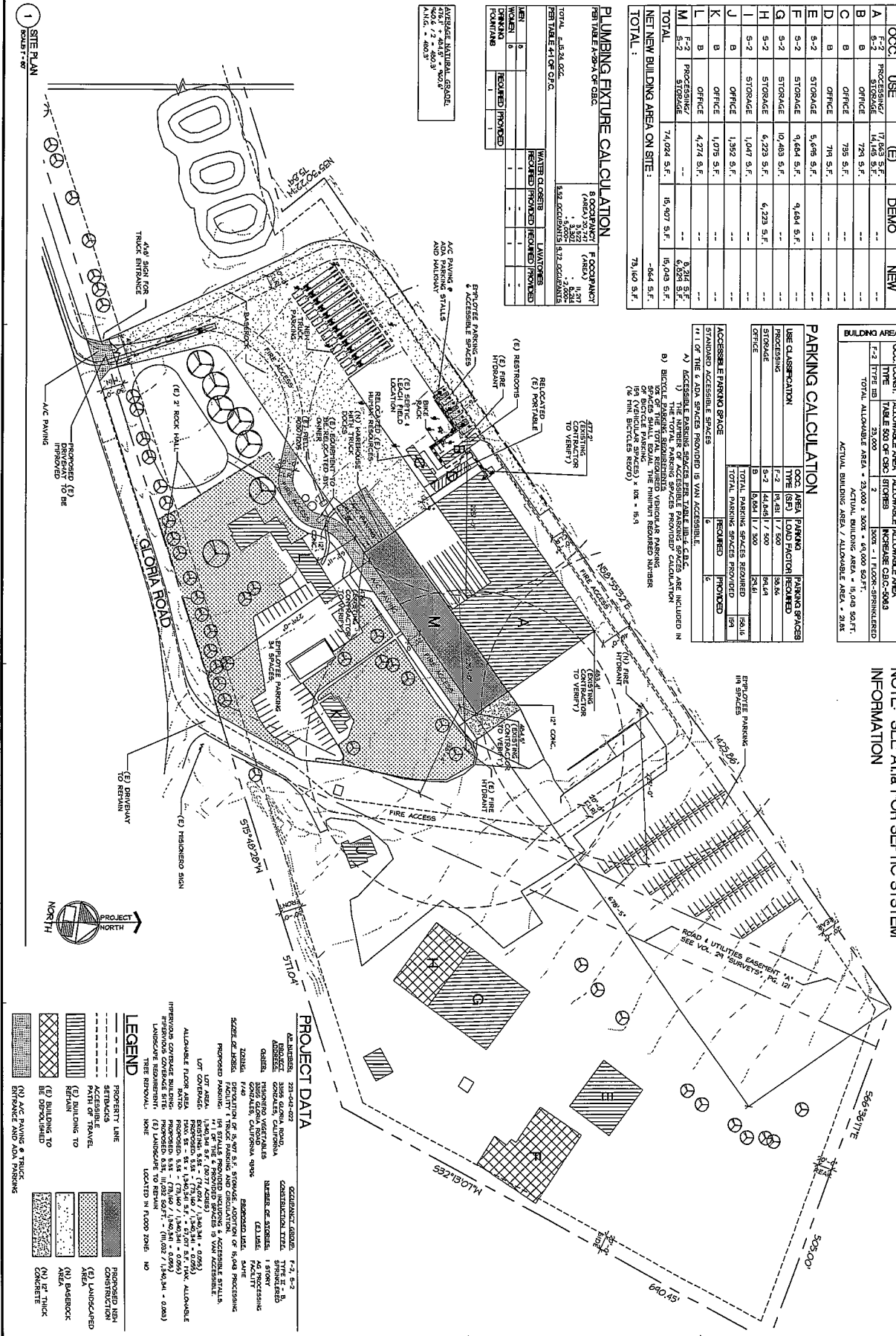
16 (BICYCLES REQUIRED) x 10x = 164

16 (BICYCLES REQUIRED) x 10x = 164

NOTE: SEE A1.1a FOR SEPTIC SYSTEM INFORMATION

[illegible]

AVERAGE NATURAL GRADE
 $476.1' + 404.5' = 980.6'$
 $980.6' / 2 = 490.3'$
 A.N.G. = 490.3'



SITE PLAN

PROCESSING FACILITY EXPANSION FOR:

MISIONERO VEGETABLES

33155 GLORIA ROAD
GONZALES, CALIF. 95026





Belli Architectural Group

313 Solinas Street
Phone (831) 424-4620

Salinas, California
Fax (831) 424-4408



REVISIONS	DATE	BY	DESCRIPTION
	09/11/02	CE	Planning Approval Submittal
	01/23/02	CE	Wet & Septic Fields

SHEET

A11

DATE

02/02

BY

CE

SCALE

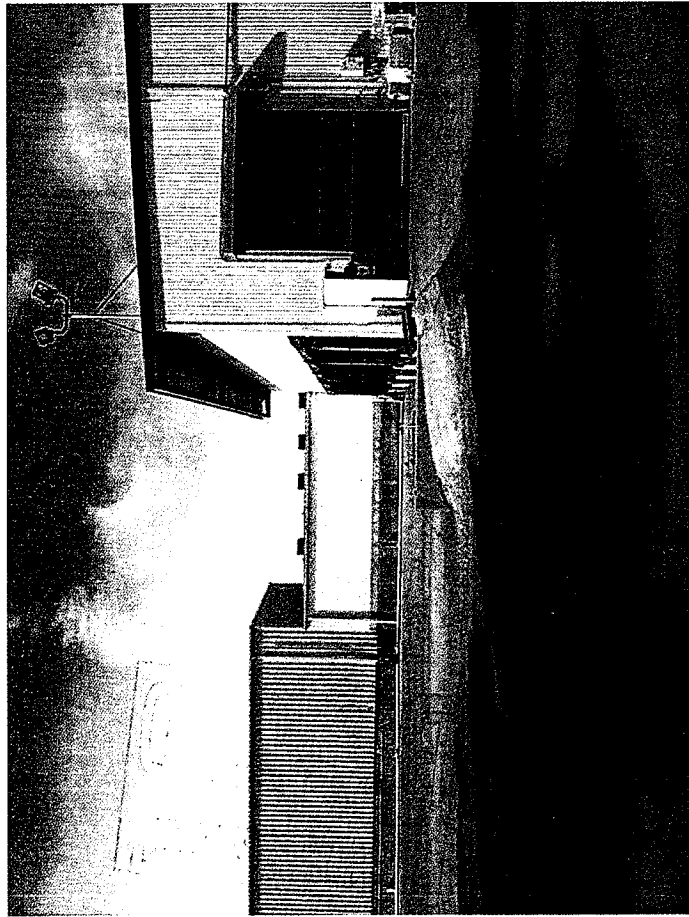
1" = 60'

PROJECT

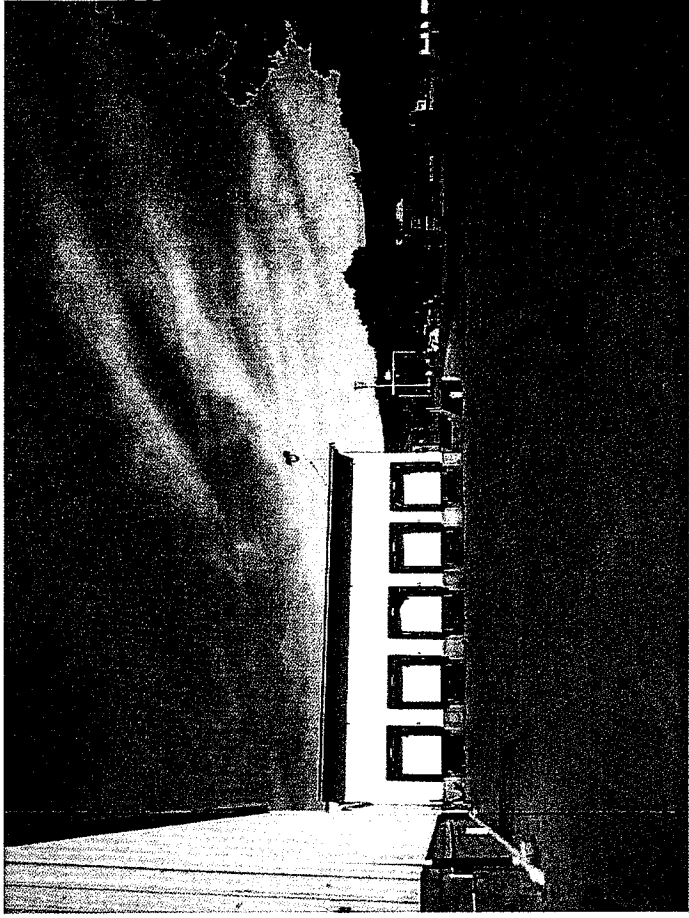
07/01/02

REVISIONS

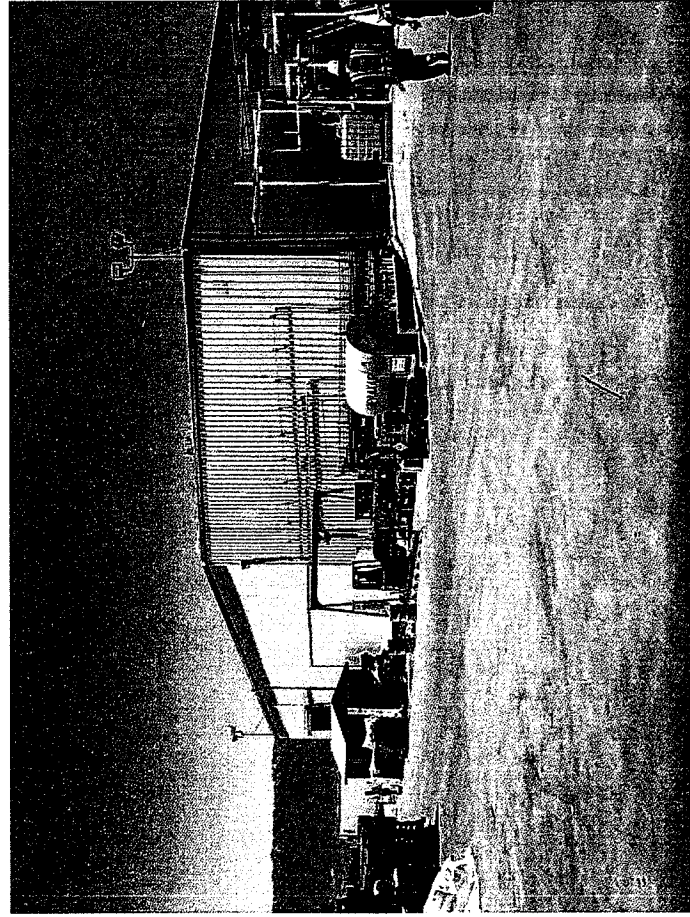
02/02



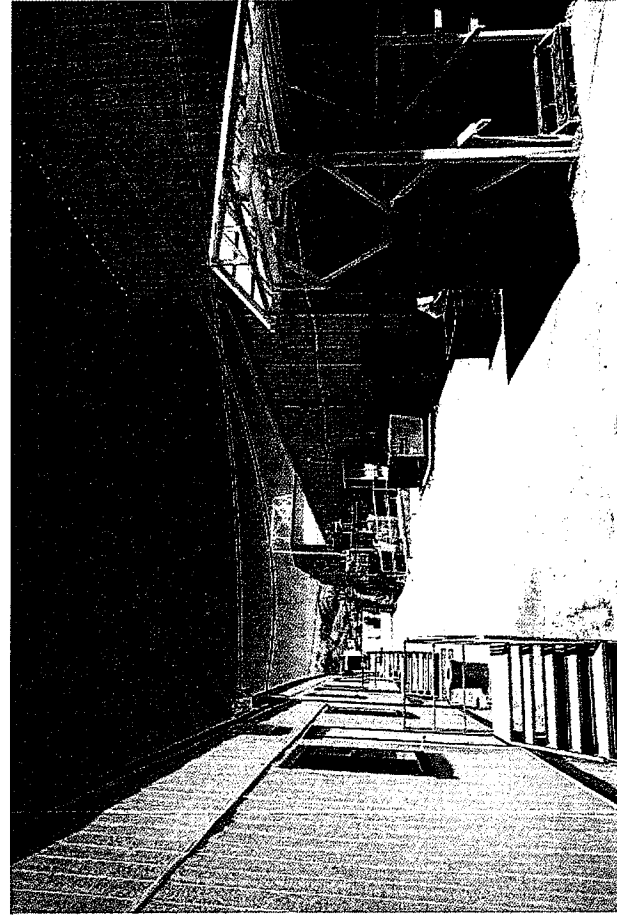
Side of (A) truck dock looking Northwest.



Front of (A) truck dock looking East.

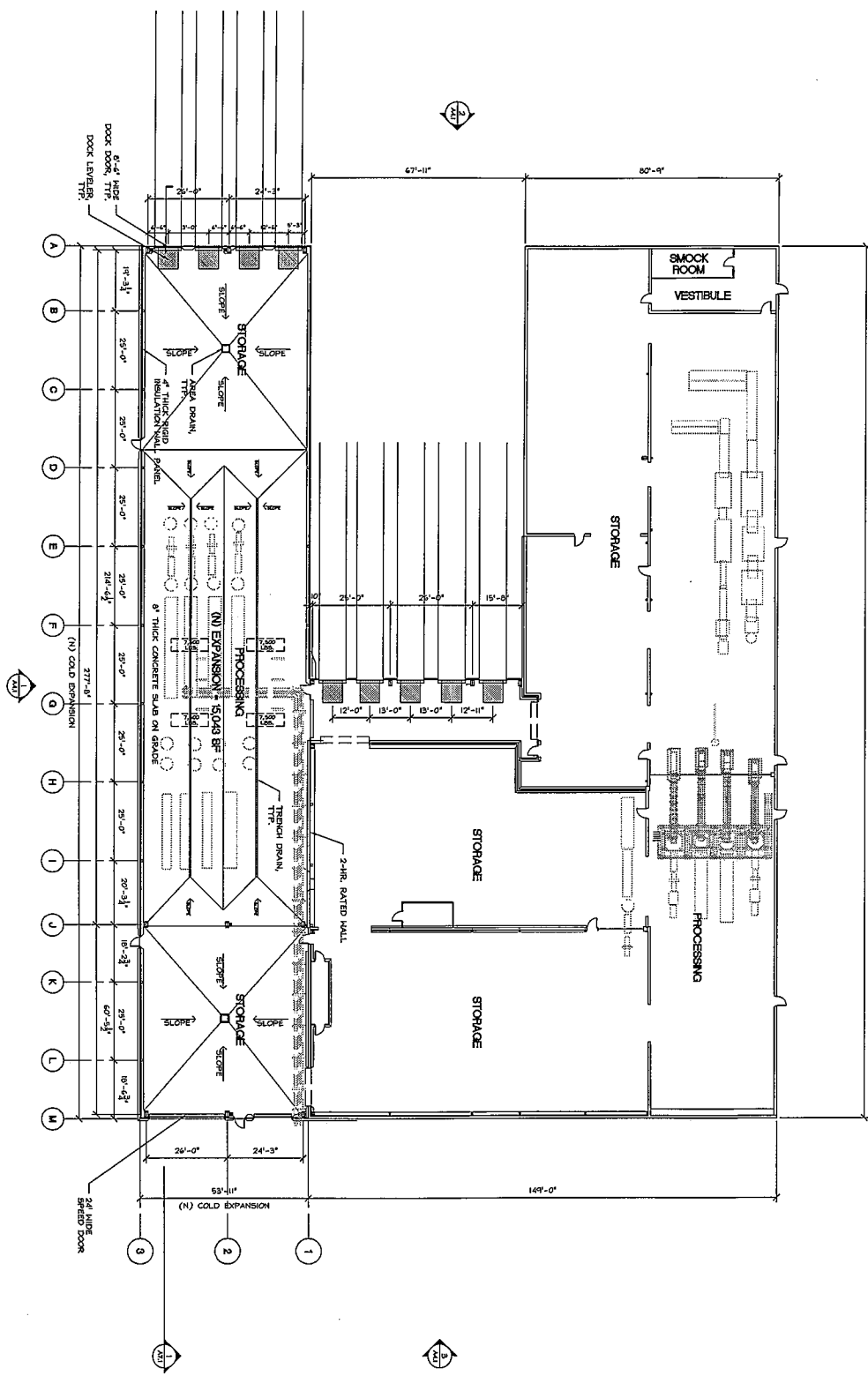


South side of (A) processing building.



North side of (A) processing building.

1 FLOOR PLAN
ROADS W-1-0



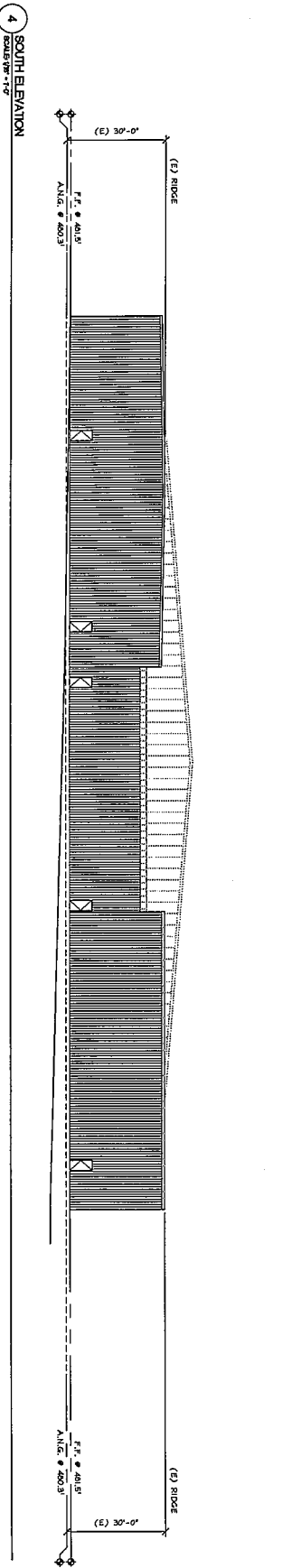
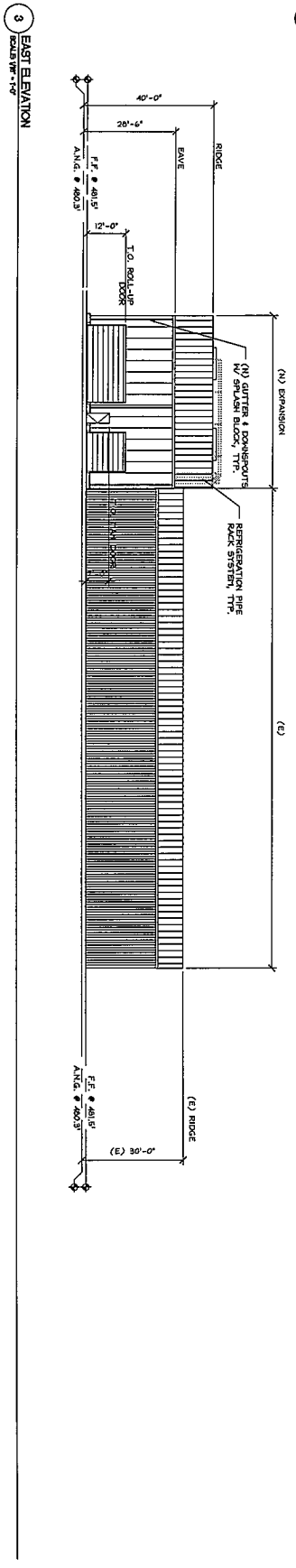
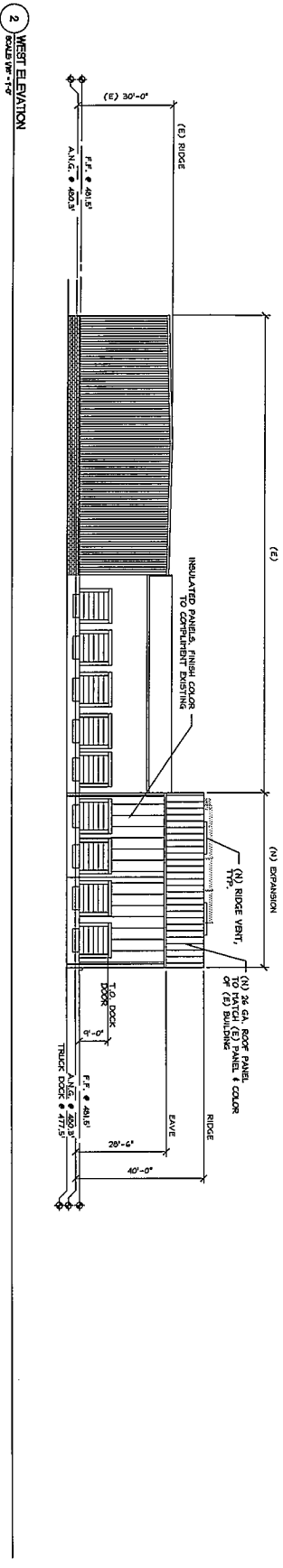
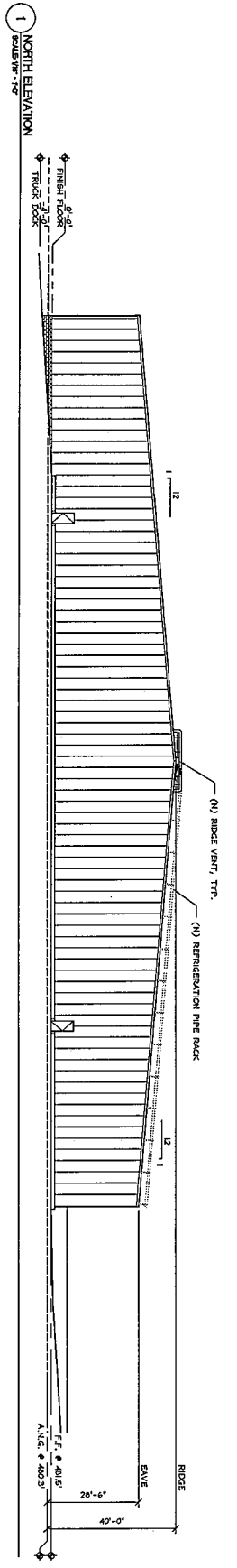
LEGEND

DESCRIPTION	DATE	BY
(P) PROCESSING	17, 2003 S.F.	CE
(S) STORAGE	14, 1998 S.F.	CE
(N) PROCESSING	19, 2003 S.F.	CE
(N) STORAGE	27, 2003 S.F.	CE



<p>A2.1</p>	<p>FLOOR PLAN PROCESSING FACILITY EXPANSION FOR: MISIONERO VEGETABLES 33155 GLORIA ROAD GONZALES, CA. 95026</p>	<p>SSB CONSTRUCTION</p>	<p>BAG architectural group</p>	<p>Belli Architectural Group 3113 Salinas Street Salinas, California Phone (831) 424-4620 Fax (831) 424-4608</p>	<p>REVISIONS</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>BY</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>07/10/02</td> <td>CE</td> <td>Planning Approval Submitted</td> </tr> </tbody> </table>	NO.	DATE	BY	DESCRIPTION	1	07/10/02	CE	Planning Approval Submitted
NO.	DATE	BY	DESCRIPTION										
1	07/10/02	CE	Planning Approval Submitted										

THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE SPECIAL USE FOR WHICH THEY WERE PROVIDED AND PUBLICATION THEREBY IS EXPRESSLY LIMITED TO SUCH USE. REUSE, REPRODUCTION, OR PUBLICATION BY ANY PERSON, IN WHOLE OR IN PART, IS PROHIBITED. TITLE TO THE PLANS AND SPECIFICATIONS REMAINS WITH THE ARCHITECT, AND VISUAL CONTACT WITH THEM CONSTITUTES PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THESE RESTRICTIONS.



REVISIONS	DATE	BY	DESCRIPTION
01	07/11/02	CE	Planning Approval Submittal

EXTERIOR ELEVATIONS
PROCESSING FACILITY EXPANSION FOR:
MISIONERO VEGETABLES
33955 GLORIA ROAD
GONZALES, CA 95926

Belli Architectural Group
313 Soliman Street
Phone (831) 424-4620
Salinas, California
Fax (831) 424-4408

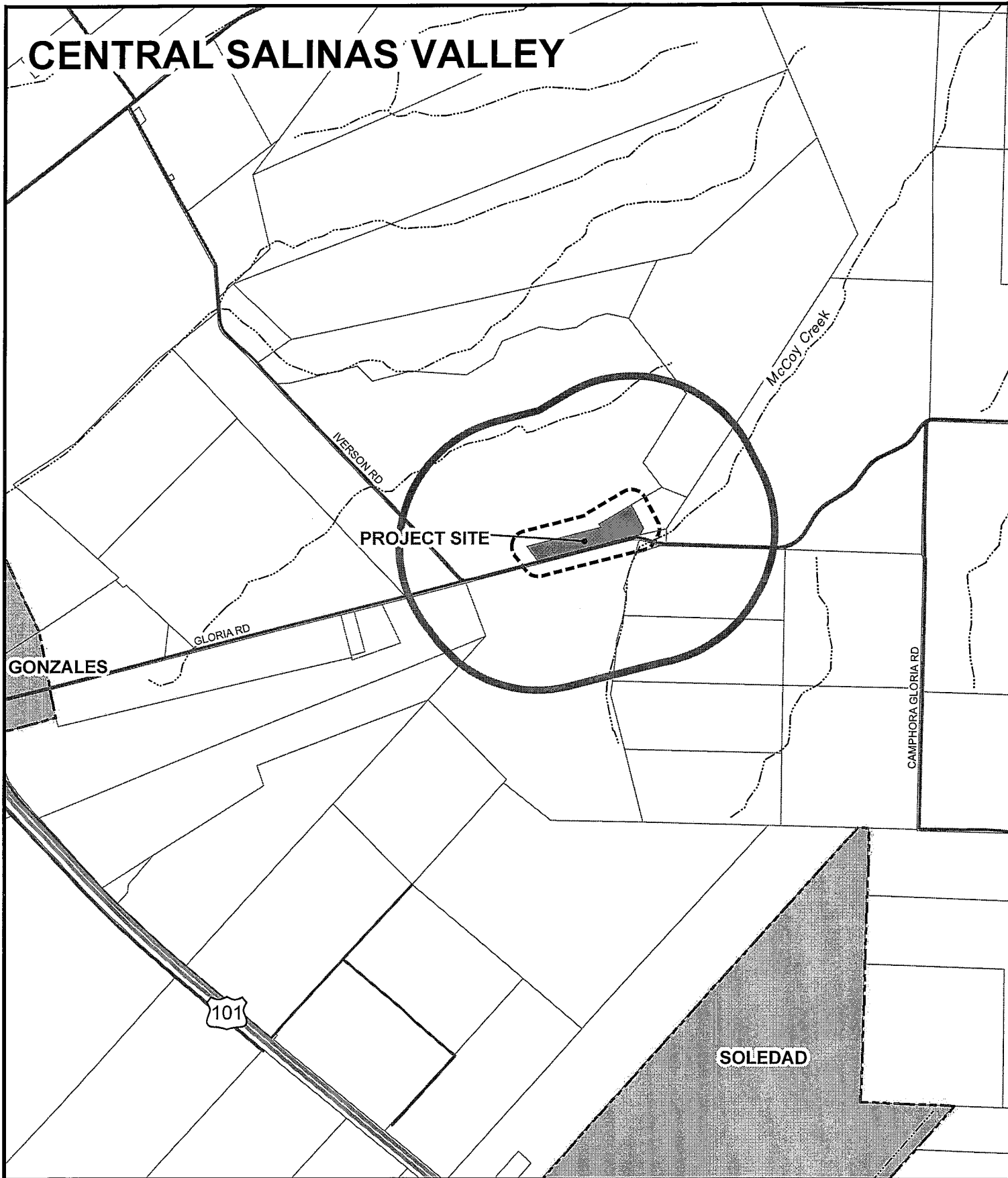
A4.1

DATE: 07/11/02
SCALE: 1/8" = 1'-0"
DRAWN: C.J.
CHECK: J.C.
DATE: 12/02

THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE. REUSE, REPRODUCTION, OR PUBLICATION BY ANY METHOD, IN WHOLE OR IN PART, IS PROHIBITED. TITLE TO THE PLANS AND SPECIFICATIONS REMAINS WITH THE ARCHITECT, AND VISUAL CONTACT WITH THESE COPYRIGHTED PAPER FOLDS EVIDENCE OF THEIR RESTRICTIONS.

EXHIBIT E
VICINITY MAP
SATELLITE PHOTO

CENTRAL SALINAS VALLEY

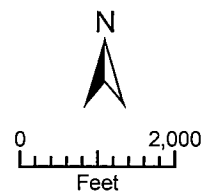


APPLICANT: HARKINS RD BUILDING LP (MISIONERO VEGETABLES)

APN:223-042-022-000

FILE # PLN120312

Water 2500' Limit 300' Limit City Limits

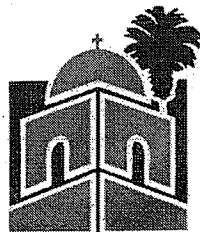


PLANNER: MASON



EXHIBIT F

VARIANCE JUSTIFICATION LETTER



MISIONERO

VEGETABLES

08/02/12

Steve Mason
Assistant Planner
Monterey County RMA – Department of Planning
168 West Alisal, 2nd Floor
Salinas, CA 93901

Dear Mr Mason

I am writing on behalf of Misionero Vegetables to request 2 variances for the purpose of allowing us to proceed with our proposed facility upgrade and to facilitate our on-going operations at 33165 Gloria Rd, Gonzales, CA. These are:

1) Parcel Coverage

From purchase of and during the operation if the existing parcel the coverage is = 74,024 SF. Per zone, 5% of 30.77 acres, or 67,017 SF is allowed. The proposed new net coverage will be 73,160 SF. Misionero seeks a variance to allow 73,160 SF to be maintained onsite so that Misionero can continue to operate as it has historically.

2) Building Height

Misionero seeks a variance for building height from zone maximum of 35' from natural grade to 40' from natural grade. This variance is necessary in order for Misionero to accommodate the relocation of existing - state of the art - processing equipment into the area of expansion for food safety reasons. The equipment, extremely common in various types of food processing, particularly salad or vegetables, consists of a Heinzen Manufacturing scale feed system, platform, Ishida scale and Pac Mac Vertical Form Fill and Seal bagger. This assembly is 22-24' tall, and needs an additional +/- 4' above for sanitation purposes. As a result of this required clearance, the thickness of roof framing and roof sloping for drainage, the building will exceed 35' zone maximum.



33155 Gloria Road • Gonzales, CA 93926-9401
831.675.5109 FAX 831.675.5104



MISIONERO

VEGETABLES

Misionero is a growing business who has been operating in Monterey County for over 30 years. We look forward to a successful future here and these plans are part of the basis for that future. As such we eagerly anticipate as much support as possible in this matter to allow us to obtain the variance and move forward with this important project.

Yours Truly,

A handwritten signature in black ink, appearing to read 'Josh Mitchell', written over a horizontal line.

Josh Mitchell

Business Development Manager



**EXHIBIT G
AGRICULTURAL ADVISORY
COMMITTEE 7/26/2012 MEETING
MINUTES**

(Note: As of the publication date of this staff report these minutes are available only in “draft” format as the Committee has not held a subsequent meeting during which these minutes could be considered for approval.)

Mason, Steve x5228

From: Nielsen, Kathleen x7301
Sent: Thursday, August 02, 2012 3:56 PM
To: Mason, Steve x5228
Subject: AAC - Misionero
Hi Steve,

Here is the information from the meeting. This won't be approved until next month.

▪ **Misionero Produce**

Steve Mason, Assistant Planner

Combined Development Permit consisting of: 1) A Use Permit for circulation improvements and partial demolition (15,907 square feet) and reconstruction (15,043 square feet) of structures at an existing agricultural processing plant; 2) a Variance for coverage (5.7% proposed/5% allowed), and 3) a Variance for height (40' proposed/35' allowed) to accommodate processing equipment. The property is located at 33155 Gloria Road, Gonzales (Assessor's Parcel Number 223-042-022-000), Central Salinas Valley Area Plan.

RECOMMENDATION: The Planning Department is seeking an Ag Advisory Committee recommendation for approval of the proposed project which would be forwarded to the Zoning Administrator.

Public Comment: None

Motion: A motion was made by Stephen DeLorimier, seconded by Mike Manfre, and passed recommending the Planning Committee approve this project.

AYES: 9

NOES: 0

ABSENT: 3 (Bunn, Costa, Morales)

RECUSED: 1 (Hammond)

The Chair announced that Bill Hammond has personal financial interest in Item VI. B. Mr. Hammond stepped down from the dais and did not participate in nor attempt to influence the decision.

Thanks,

Kathy

Kathy Nielsen
Monterey County Agricultural Commissioner's Office
1428 Abbott Street
Salinas, CA 93901-4507
831.759.7301 Direct Line
831.759.2268 Fax
nielsenk@co.monterey.ca.us
www.ag.co.monterey.ca.us

08/02/2012