

**PLANNING COMMISSION  
COUNTY OF MONTEREY, STATE OF CALIFORNIA**

RESOLUTION NO. 02038

A. P. # 030-118-002-000-M

FINDINGS AND DECISION

In the matter of the application of  
**North County Recreation Park District (PLN020142)**

WHEREAS: The Planning Commission, pursuant to regulations established by local ordinance and state law, has considered, at public hearing, a Combined Development Permit, located in Castroville and described by the block consisting of Speegle, Pomber, Preston and McDougall, North County Non-Coastal area, came on regularly for hearing before the Planning Commission on July 10, 2002.

WHEREAS: Said proposal includes:

- 1) Use Permit for the construction of a new 13,880 square foot Community Center consisting of a library, child care facility, museum, meeting room and office; grading; and
- 2) Use Permit for modification of parking standards, and

WHEREAS: Said Planning Commission, having considered the application and the evidence presented relating thereto,

FINDINGS OF FACT

**1. FINDING:** The subject Combined Development Permit (File PLN020142) as described in Condition No. 1 and as conditioned conforms with the plans, policies, requirements and standards of the General Plan, North County Area Plan and the Monterey County Zoning Ordinance (Title 21). The property is an empty block of land located adjacent to the Castroville Elementary School, between Speegle and Preston Streets, and between Pomber and McDougall Streets in the Town of Castroville (APN's 030-118-002-000 and 030-118-003-000). The parcel is zoned "PQP" or Public/Quasi Public. The subject site is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of Title 21 and any zoning violation abatement costs have been paid.

**EVIDENCE:** The Planning and Building Inspection staff reviewed the project, as contained in the application and accompanying materials, for conformity with:

- a) General Plan
- b) The North County Area Plan
- c) Chapter 21.40 of the Monterey County Zoning Ordinance
- d) Chapter 21.58 of the Monterey County Zoning Ordinance

**EVIDENCE:** The project site is suitable for the proposed use as described in the project file. The proposed development has been reviewed by the Planning and Building Inspection Department, Health Department, Public Works Department, Water Resources Agency and the North County Park and Recreation District and the North County Fire District. There has been no indication from those agencies that the site is not suitable for the proposed development. Each agency has recommended conditions for project approval. The Initial Study demonstrates that no physical or environmental constraints exist that could not be mitigated, and therefore would indicate that the site is suitable for the proposed development.

**EVIDENCE:** The proposed use is consistent with the development standards for Public/Quasi public zoning districts, pursuant to Title 21, Monterey County Zoning Ordinance.

**EVIDENCE:** Staff verification of the Monterey County Planning and Building Inspection Department records indicated that no violations exist on subject property.

**EVIDENCE:** The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development.

**EVIDENCE:** The on-site inspection by the project planner to verify that the proposed project complies with the applicable regulations.

2. **FINDING:** The proposed project, including all permits and approvals, will not have significant adverse impacts on the environment. A Mitigated Negative Declaration has been prepared and is on file (File PLN020142) in the Department of Planning and Building Inspection. All mitigation measures identified in the Initial Study and Mitigated Negative Declaration and all project changes required to avoid significant effects on the environment have been incorporated into the approved project or are made conditions of approval. A Program for Monitoring and/or Reporting on Conditions of Approval (hereafter “the Program”) has been prepared pursuant to Public Resources Code 21081.6 and is made a condition of approval. The Program is attached hereto as Exhibit “E” and is incorporated herein by reference. Potential environmental effects have been studied, and there is no substantial evidence in the record, as a whole, that supports a fair argument that the project, as designed, may have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment and analysis of the County based upon the findings and conclusions drawn in the Initial Study and the testimony and information received, and scientific and factual data presented as evidence during the public review process. The Monterey County Planning and Building Inspection Department, located at 2620 First Avenue, Marina is the custodian of the documents and the materials that constitute the record of proceedings upon which the adoption of the Mitigated Negative Declaration is based.

**EVIDENCE:** County staff prepared an Initial Study for the project in compliance with the California Environmental Quality Act (CEQA), its Guidelines, and the Monterey County CEQA Guidelines. The Initial Study provided substantial evidence that the project, with the addition of mitigation measures, would not have significant environmental impacts. A Negative Declaration was filed with the County Clerk on June 6, 2001 and noticed for public review. All comments received on the Initial Study have been considered as well as all evidence in the record, which includes studies, data, and reports supporting the Initial Study; additional documentation requested by staff in support of the Initial Study findings; information presented or discussed during public hearings; staff reports that reflect the County’s independent judgment and analysis regarding the above referenced studies, data, and reports; application materials; and expert testimony. Among the studies, data, and reports analyzed as part of the environmental determination are the following:

1. Certified Monterey County Zoning Ordinance, Title 21
2. North County Area Plan
3. Monterey County Code, 1993. Noise Control
4. Monterey Bay Unified Air Pollution Control District, 1995. CEQA Guidelines
5. *Preliminary Archaeological Reconnaissance of Assessor’s Parcel 030-118-001, The Castroville Community Plaza Project, Castroville, Monterey County, California*, Archaeological Consulting, March 7, 2001
6. *Castroville Recreation Feasibility Study*, October 1998
7. *Merritt Street Corridor Revitalization Strategy*, May 1998

3. **FINDING:** Considering the record as a whole, there is no evidence that the project will have potential for adverse effect either individually or cumulatively on wildlife resources as defined under Section 753.5 (d) of the Fish and Game Code.
- EVIDENCE:** The project site is located in an urbanized area and does not support biological resources. Development of the proposed project will not result in changes to the resources listed under Section 753.5.
4. **FINDING:** Parking will be adequate to accommodate all parking needs generated by the use and the parking needs of the residents in the immediate vicinity.
- EVIDENCE:** Based on the location of the facility in a residential area with enough surplus on-street parallel parking spaces within proximity of the facility to absorb any need for excess parking that may arise, staff from Planning and Building Inspection and the Department of Public Works have determined that the number of spaces would be adequate to accommodate the needs of the park and of the residents of the immediate area. The proposed facility will serve the community and will be walkable from much of the community. Sufficient on-street area for parking to accommodate the calculated need of the facilities is provided. The property is unique in that the project is one entire city block and parking along the project's street frontages will not interfere with other uses, as there are no other uses on the block.
- EVIDENCE:** A diagonal parking plan showing 83 parking spaces has been submitted and is attached as Figure 2 to the Initial Study. A parallel parking plan showing 38 on-street parking spaces has been submitted and is attached as Figure 3 to the Initial Study.
5. **FINDING:** The site is suitable for the use proposed.
- EVIDENCE:** There has been no testimony received either written or oral, during the course of public hearings to indicate that the site is not suitable for the project. Necessary public facilities are available for the use proposed. The project has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, Public Works Department, Health Department, the North County Recreation and Park District and the North County Fire District. There has been no indication from those Departments that the site is not suitable. There are no physical or environmental constraints such as geologic or seismic hazard areas or similar areas that would indicate the site is not suitable for the use proposed.
6. **FINDING:** The establishment, maintenance, or operation of the use or structure applied for will not, under the circumstances of the particular case, be detrimental to health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvement in the neighborhood, or to the general welfare of the County.
- EVIDENCE:** The project as described in the application and accompanying materials was reviewed by the Planning and Building Inspection Department, Health Department, Public Works Department, Water Resources Agency, North County Fire District and the North County Parks and Recreation District. The respective Departments 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; or the County in general.

### DECISION

THEREFORE, it is the decision of the Planning Commission of the County of Monterey that the Mitigated Negative Declaration and Program for Monitoring and/or Reporting on Conditions of Approval be adopted and said application for a Combined Development Permit be granted as shown on the attached sketch and subject to the following

conditions:

1. This Use Permit allows the following: *Use Permit for development and operation of a 7,880 square-foot Castroville Public Free Library, a 1,500 square-foot museum and public meeting room, a 3,000 square-foot childcare/multi-services facility, and 1,500 square feet of public use office space. The public plaza includes a bandstand/kiosk and fountain, walking paths, landscaping, the installation of lighting and utilities, street improvements and on-street parking in accordance with County ordinances and land use regulations subject to the following terms and conditions.* Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of Planning and Building Inspection. 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. **(Planning and Building Inspection Department)**

#### **Prior to Issuance of Building or Grading Permits**

2. The applicant shall record a notice which states: "A permit, Resolution No. 02038, was approved by the Planning Commission for Assessor's Parcel Numbers 030-118-002 and 030-118-003 on July 10, 2002. The permit was granted subject to 24 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. **(Planning and Building Inspection Department)**
3. The on-street parking layout shall be approved by the Department of Public Works. **(Planning and Building Inspection Department)**
4. The site shall be prepared and the project constructed pursuant to all State and local building codes. The applicant shall incorporate all recommendations of the geotechnical investigation into the project design addressing seismic safety and soil suitability. The recommendations of the geotechnical investigation shall be reflected on the engineered grading and site plans for the proposed project. **(Planning and Building Inspection Department MM#1)**
5. The applicant shall implement all recommendations of the Phase I ESA addressing any on-site hazards of hazardous materials. Evidence of compliance for remediation or material removal, if necessary, shall be provided to the County Planning and Building Inspection Department. **(Planning and Building Inspection Department MM#2)**
6. Participate as appropriate in the 1) financing of a traffic signal at the Merritt Street/Speegle Street intersection or the Merritt Street/Preston Street intersection, 2) financing of the bulb-outs on Merritt Street at Speegle Street and Preston Street, and 3) payment of traffic impact fees for improvements outlined in the Traffic Circulation Master Plan—Castroville, September 1998. **(Planning and Building Inspection Department MM#3, 4, and 5)**
7. All exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. That 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 exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. **(Planning and Building Inspection Department)**

8. A Grading Permit shall be required pursuant to the Monterey County Code relative to Grading, Chapter 16.08. **(Planning and Building Inspection Department)**
9. Provide to the Director of Environmental Health written certification, and any necessary certification from State agencies, that Castroville Water District can and will supply sufficient water flow and pressure to comply with both Health and fire flow standards. **(Environmental Health)**
10. Provide certification to the Division of Environmental Health that CSA 14 can and will provide sewer service for the proposed property/project. **(Environmental Health)**
11. A qualified archaeological monitor shall be present during construction activities that involve soil disturbance, such as removal of unconsolidated fill prior to compaction, excavations into native soil structures or utilities, and any earthwork. If intact cultural features or human remains are discovered, work shall be halted within 50 meters (150) until the find can be evaluated by the monitor or principal archaeologist, and appropriate mitigation measures formulated and implemented. If suitable materials are discovered during monitoring, at least one radiocarbon date shall be obtained as mitigation for incidental impacts to prehistoric resources. **(Planning and Building Inspection Department)**
12. All signs shall comply with applicable requirements of the Zoning Ordinance. Submit a sign plan for review and approval by the Director of Planning and Building Inspection. **(Planning and Building Inspection Department)**
13. Pursuant to the State Public Resources Code, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee to be collected by the County of Monterey in the amount of **\$25**. This fee shall be paid on or before the filing of the Notice of Determination. Proof of payment shall be furnished by the applicant to the Director of Planning and Building Inspection prior to the recordation of the tentative map, the commencement of the use, or the issuance of building and/or grading permits, whichever occurs first. The project shall not be operative, vested or final until the filing fees are paid. **(Planning and Building Inspection Department)**
14. A drainage plan shall be prepared by a registered civil engineer addressing on-site and off-site impacts, to include oil-grease/water separators for the paved parking areas. Necessary improvements shall be constructed in accordance with approved plans. **(Water Resources Agency)**
15. The applicant shall provide to the Water Resources Agency a water balance analysis describing the pre-development and post-development water use on the property. Any proposed increase in water use shall require the identification and implementation of mitigation measures, if feasible, by the applicant. **(Water Resources Agency)**
16. Conform to current adopted Uniform Fire Code Standards. **(North County Fire)**
17. Conform to current Uniform Fire Alarm Code. **(North County Fire)**
18. Fire hydrant type and location to be submitted to North County Fire District for approval. **(North County Fire)**
19. Provide the following to Environmental Services Division:

- a. The developer shall provide a line for the ES Manager's signature. The plans shall not be considered complete until the ES Manager or his/her designee only has signed the plans.
- b. The developer shall provide ES with the total number of employees who shall occupy the building. The developer shall also provide the building's maximum total occupancy numbers to ES.
- c. The developer shall provide anticipated sanitation flows using a 3.5 peaking factor and average flows per person utilizing standard ES calculations and figures. The developer shall 100% pay for any and all improvements to the existing sanitation system in order to accommodate all flows from the Community Center.
- d. All sanitation system structures, facilities, lines, manholes and all sanitation-related appurtenances shall conform to "County of Monterey Standard Specification for use in County Service Areas and Sanitation Districts" dated June 1992.
- e. All fees and payments shall be paid to the appropriate agencies, such as ES and MRWPCA (Monterey Regional Water Pollution Control Agency) before any sanitation permits are issued or commencement of any construction.
- f. The developer shall enter into an RSA (Reimbursable Service Agreement) with ES to cover all ES expenses and costs associated with this project. **(Public Works, Environmental Services Division)**

#### **Prior to Final Building Inspection/Occupancy**

1. The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:
  - a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.
  - b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. **(Water Resources Agency)**
2. Install stop signs on both Pomber Street approaches at its intersection with Speegle Street. This improvement shall be in place prior to occupancy. **(Planning and Building Inspection Department, MM#6)**
3. All sanitation structures, facilities, lines, manholes and all sanitation-related appurtenances shall be inspected by ES personnel prior to burial. The developer shall 100% pay for any and all costs associated with unburying any sanitation structures, facilities, lines, manholes, and all sanitation-related appurtenances should ES not inspect and approve such work. **(Public Works, Environmental Services Division)**
4. The developer shall contact ES at 755-4950 or 755-4982 at least 24-hours in advance of any needed or required sanitation inspections. **(Public Works, Environmental Services Division)**

- 5. The site shall be landscaped. A landscaping plan shall be submitted to the Director of Planning and Building Inspection for approval prior to beginning of the use of the project. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. The landscaping plan shall include low water use or native drought resistant plants, low precipitation sprinkler heads (dispenses less than 0.75 inches of water per hour at any pipe pressure), bubblers, drip irrigation and timing devices. A landscape plan review fee is required for this project; the fee shall be paid at the time of landscape plan submittal. The landscaping shall be installed prior to beginning of the use of the project. **(Planning and Building Inspection Department)**

**PASSED AND ADOPTED** this 10th day of July, 2002 by the following vote:

AYES: Errea, Sanchez, Hawkins, Brennan, Parsons, Diehl, Hernandez, Wilmot  
 NOES: None  
 ABSENT: Pitt-Derdivanis, Classen

Original Signed By:  
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 DALE ELLIS, SECRETARY

Copy of this decision mailed to applicant on

**IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD OF SUPERVISORS 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 90<sup>th</sup> 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 and Building Inspection Department office in Marina.

2. The construction or use authorized by this permit must start within two years of the date of approval of this permit unless extended by the Director of Planning and Building Inspection pursuant to Section 20.140.100 of the Coastal Implementation Plan.