

LYNNE MOUNDAY
CALIFORNIA
ZONING ADMINISTRATOR

STATE OF
COUNTY OF MONTEREY
RESOLUTION NO. 020296

A.P. # 177-132-039-

000

In the matter of the application of
DECISION

FINDINGS &

Robert Mann Packaging (PLN020296)

for a Use Permit in accordance with Title 21 (Zoning) Chapter 21.74 (Use Permits) of the Monterey County Code, for a cardboard box manufacturing plant within an existing building at the Firestone Business Park. The plant will occupy 119,374 sq. ft. of tenant space within an existing 1.8 million sq. ft. building complex, located at 340 El Camino Real South, Salinas, Greater Salinas Planning area, came on regularly for hearing before the Zoning Administrator on December 12, 2002.

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

FINDINGS OF FACT

1. **FINDING:** The subject Use Permit, File No. PLN020296, Robert Mann Packaging, as described in Condition No. 1, and as conditioned, conforms to the plans, policies, requirements and standards of the Monterey County General Plan, the Greater Salinas Area Plan, and the Monterey County Zoning Ordinance (Title 21 of the Monterey County Code). The property is located on 340 El Camino Real South, Salinas area. The parcel is designated as "Industrial" in the Greater Salinas Area Plan, and is zoned "HI/B-5" (Heavy Industrial).
EVIDENCE: Application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development are located in project File No. PLN020296.
EVIDENCE: The Planning and Building Inspection staff reviewed the project, as set forth in the application and accompanying materials, for conformity with the General Plan, the Greater Salinas Area Plan, and Chapter 21.28 of the Monterey County Zoning Ordinance (Title 21).
EVIDENCE: The project planner conducted an on-site inspection on October 4, 2002, to verify that the project on the subject parcel conforms to the plans listed above.
EVIDENCE: The Zoning Administrator considered any written and verbal public testimony submitted at the public hearing on the subject Use Permit.
2. **FINDING:** The project site is physically suitable for the proposed use as described in the project file.
EVIDENCE: The proposed development was reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, Public Works Department, Environmental Health Division, Parks and Recreation Department, Salinas Rural Fire District, and Regional Water Quality Control Board, Central Coast Region. There was no indication from these agencies that the site is not suitable for the proposed development. Each agency has

recommended conditions for project approval.

3. **FINDING:** On the basis of the whole record before the Zoning Administrator there is no substantial evidence that the proposed project as designed, conditioned and mitigated, will have a significant effect on the environment. The Initial Study/Mitigated Negative Declaration prepared for the project reflects the independent judgment and analysis of the County.

EVIDENCE: The Monterey County Planning and Building Inspection Department prepared an Initial Study on the project pursuant to the California Environmental Quality Act (CEQA). The Initial Study identified several potentially significant environmental effects, but the applicant has agreed to proposed mitigation measures that avoid or reduce the potential effects to a less than significant level. The Initial Study/Mitigated Negative Declaration was circulated for public review from October 21, 2002, to November 21, 2002. The County has considered the comments received during the public review period, and they do not alter the conclusions in the Initial Study/Mitigated Negative Declaration. The Initial Study/Mitigated Negative Declaration is on file at the Planning and Building Inspection Department in File No. PLN020296, and is hereby incorporated by reference.

EVIDENCE: Evidence that has been received and considered in preparation of the Initial Study/Mitigated Negative Declaration includes:

- A. Application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development and located in project File No. PLN020296.
- B. Reports and technical studies for the project including those submitted by the applicant:
 1. "Monterey County General Plan," Monterey County, 1982.
 2. "Greater Salinas Area Plan," Monterey County, July, 1985.
 3. "Beckart Waste Water Disposition Scenarios," circa August, 2002, Anderson Environmental Management and Michael J. O'Leary, RG, San Jose, California.
 4. Addendum to "Beckart Waste Water Disposition Scenarios," September 24, 2002, Anderson Environmental Management, San Jose, California.
 5. Traffic Analysis for two proposed projects at Firestone Business Park, July 24, 2002, Higgins Associates, Gilroy, California.
 6. Steven R. Carroll, General Manager, Robert Mann Packaging Salinas Plant. Letter to Project Planner, October 1, 2002.
 7. Bryce Hori, Monterey County Department of Public Works. Personal Communication with Project Planner, October 9, 2002.
 8. Title 21 (Zoning Ordinance) of the Monterey County Code.
 9. Section 10.60.030 (Noise Ordinance) of the Monterey County Code.

- C. Staff report to the Zoning Administrator that reflects the County’s independent judgment, and information and testimony presented at the public hearing before the Zoning Administrator.

EVIDENCE: A Condition Compliance and Mitigation Monitoring and/or Reporting Plan has been prepared in accordance with Monterey County regulations and is designed to ensure compliance during project implementation. The Applicant must enter into an “Agreement to Implement a Mitigation Monitoring and/or Reporting Plan” as a condition of project approval (Condition No. 4).

- 4. FINDING: The subject property 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 Staff verification of the Monterey County Planning and Building Inspection Department records indicated that no violations exist on subject property.

- 5. 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 759.2 and 711.2 of the Fish and Game Code.

EVIDENCE: The administrative record as a whole supports the above finding. The project consists of a cardboard box manufacturing plant and distribution facility which will occupy 119,375 square feet of tenant space within an existing 1.8-million square foot industrial park complex. The project as located within an existing industrial building replaces previous uses of the tenant space of a similar intensity and density. The project is located well within the confines of the industrial park complex, and involves no development or expansion on undisturbed land.

- 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, Environmental Health Division, Public Works Department, Water Resources Agency, Salinas Rural Fire District, and the California Regional Water Quality Control Board, Central Coast Region. The respective departments and 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, or the County in general.

- 7. FINDING: This project is appealable to the Planning Commission.

EVIDENCE: Section 21.80.040.B of Title 21 (Zoning) of the Monterey County Code sets forth the procedures for an appeal.

DECISION

THEREFORE, it is the decision of said Zoning Administrator that said application for a Use Permit be granted as shown

on the attached sketch, and subject to the following conditions:

1. This Use Permit allows a cardboard box manufacturing plant within an existing building at the Firestone Business Park. The plant will occupy 119,374 square-feet of tenant space within an existing 1.8-million square-foot building complex. This Permit is 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)

Prior to Issuance of Building and Grading Permits:

2. Prior to issuance of any building permits, the applicant shall submit evidence from the Regional Water Quality Control Board, Central Coast Region, that the proposed method of process wastewater disposal is acceptable. If necessary, obtain a Waste Water Discharge Permit from the Regional Water Quality Control Board. [Mitigation Measure 1] (Environmental Health)
3. Prior to issuance of building permits, Fire Department Notes shall be printed on the approved project plans. (Salinas Rural Fire District)
4. Notes shall be placed on the building plans which restate Condition 11 (sprinkler system) and Condition 12 (fire alarm system) as set forth in this Resolution. (Salinas Rural Fire District)
5. The applicant shall enter into a Mitigation Monitoring Agreement with and pay a fee of \$840.00 to the Director of Planning and Building Inspection. (Planning and Building Inspection)
6. The applicant shall record a notice which states: "A Permit (Resolution # 020296) was approved by the Monterey County Zoning Administrator for Assessor's Parcel Number 177-132-039 on December 12, 2002. The permit was granted subject to 20 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)

Prior to Final Inspection/Occupancy:

7. The applicant shall replace the two existing stop signs presently facing eastbound motorists exiting the Firestone Business Park property onto Abbott Street with 36-inch stop signs (R1 in the CalTrans Traffic Manual). (Public Works)
8. The applicant shall place the new southerly stop sign, i.e., the sign facing eastbound motorists making a right-turn onto Abbott Street, at least three feet to the north of its present location in order to increase its visibility. (Public Works)
9. The applicant shall trim the hedges and vegetation at the northwest and southwest corners of the project intersection with Abbott Street to improve driver's sight lines and visibility at the intersection corners. (Public

Works)

10. The applicant shall repaint pavement markings, including the stop bars, stop legends, lane limit lines, and traffic directional arrows, on the site access road to increase their visibility. (Public Works)
11. The applicant shall install a double head arrow sign (W56 in CalTrans Traffic Manual) on the east side of Abbott Street facing eastbound motorists exiting the business park property. (Public Works)
12. Existing fire sprinkler systems in buildings undergoing remodeling and/or additions shall be extended or modified to provide protection to the remodeled/added areas. Installation, approval and maintenance shall be in compliance with applicable National Fire Protection Association and/or Uniform Building Code Standards, the edition(s) of which shall be determined by the enforcing jurisdiction. Plans for fire sprinkler system changes must be submitted and approved prior to installation. In the event the remodel/addition project does not require extension or modification of the existing fire sprinkler system, a letter to that effect from the fire alarm contractor shall be provided to the Salinas Rural Fire District prior to requesting a framing inspection. Rough-in inspections must be completed prior to requesting a framing inspection. (Salinas Rural Fire District)
13. The existing building is fully protected with an approved central station, proprietary station or remote station automatic fire alarm system as defined by National Fire Protection Association Standard 72 - 1996 Edition. ***The existing fire alarm system shall be extended or modified to accommodate the remodeled/added area(s).*** Plans and specifications for the fire alarm system must be submitted and approved by the enforcing agency prior to requesting a framing inspection. In the event the remodel/addition project does not require extension or modification of the existing fire alarm system, a letter to that effect from the fire alarm contractor shall be provided to the Salinas Rural Fire District prior to requesting a framing inspection. All fire alarm system inspections and acceptance testing shall be done in accordance with Chapter 7 of NFPA 72 - 1996. (Salinas Rural Fire District)
14. Storage and handling of combustible fibers and combustible waste matter shall be in accordance with Article 28 (Storage and Handling of Combustible Fibers), Uniform Fire Code, and 1997 Edition. A system for waste material disposal and storage shall be provided and maintained inside and outside the facility. Waste material shall be removed from the site on a regular basis. (Salinas Rural Fire District)
15. Storage of product and raw material inside the facility shall comply with the requirements of Article 81, High Piled Storage, Uniform Fire Code, 1997 Edition. (Salinas Rural Fire District)
16. Portable fire extinguishers shall be installed and maintained in accordance with Uniform Fire Code Standard 10-1. (Salinas Rural Fire District)
17. Fire department hose drops shall be installed pursuant to the installation agreement the property owner currently has in progress throughout the Firestone Business Park. (Salinas Rural Fire District)
18. When construction begins, temporary or permanent suite numbers shall be posted. Permanent suite numbers shall be posted prior to requesting final clearance. All suite numbers (permanent and temporary) shall be posted on the building so as to be clearly visible from the road. Suite numbers posted shall be Arabic, not Roman or written out in words. Suite numbers posted shall be a minimum number height of 6 inches with a 1-inch stroke, and contrasting with the background colors of the sign. (Salinas Rural Fire District)

Continuous Permit Conditions:

19. The property and all improvements shall be continuously maintained by the applicant, and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (Planning and Building Inspection)
20. 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. (Planning and Building Inspection)

PASSED AND ADOPTED this 12th day of December, 2002.

Original Signed By:

LYNNE MOUNDAY
ZONING ADMINISTRATOR

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY TO 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 and Building Inspection Department office in

Salinas.

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