

MIKE NOVO
ZONING ADMINISTRATOR

STATE OF CALIFORNIA
COUNTY OF MONTEREY

RESOLUTION NO. 030639

A.P.# 137-012-006-000

In the matter of the application of
Pringle Tractor Company (PLN030639)

FINDINGS & DECISION

for a Use Permit in accordance with Title 21 (Zoning) Chapter 21.74 (Use Permits) of the Monterey County Code, for the construction of a 30-foot tall, 98.1 square foot pylon sign. The property is located at 501 El Camino Real South, Salinas area, at the intersection of Highway 101 and Spence Road (east corner), Greater Salinas area., came on regularly for hearing before the zoning administrator on April 29, 2004.

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

FINDINGS OF FACT

1. **FINDING:** The proposed Use Permit for the construction of a 30-foot tall, 98.1 square foot pylon sign (**Pringle Tractor Co., PLN030639**) is consistent with the zoning designation of HI/B-5 (Heavy Industrial/Five Acre Minimum Lot Size), and the Greater Salinas Area Plan designation of Industrial.
EVIDENCE: The Planning and Building Inspection staff reviewed the project, as contained in the application and accompanying materials, for conformity with:
 - a) The General Plan and Greater Salinas Area Plan;
 - b) Chapter 21.38 of the Monterey County Zoning Ordinance regulations for development in the HI zoning district;
 - c) Chapter 21.60 of the Monterey County Zoning Ordinance regulations for signs; and
 - d) Chapter 21.42 of the Monterey County Zoning Ordinance regulations for development in the B-5 zoning district.**EVIDENCE:** The project height of 30 feet conforms to the maximum allowable height of 35 feet for the Heavy Industrial zoning designation.
EVIDENCE: The sign area of 98.1 square feet is below the 180 square foot limitation imposed by the sign regulations.
EVIDENCE: Materials in file PLN030639
2. **FINDING:** The proposed project is categorically exempt from the California Environmental Quality Act.
EVIDENCE: Section 15303 (accessory structures) of the County CEQA Guidelines categorically exempts the pylon sign from environmental review. No adverse environmental impacts were identified during staff review of the Use Permit application.
EVIDENCE: Findings and Evidence for 3 and 4 below

3. **FINDING:** The project site is physically suitable for the proposed use as described in the project file.
- EVIDENCE:** The proposed development has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, Public Works Department, Environmental Health Division, and Salinas Rural Fire Protection District. There has been no indication from these agencies that the site is not suitable for the proposed use. No conditions of approval were recommended for the project.
- EVIDENCE:** Staff verification of the Monterey County Planning and Building Inspection Department records indicated that no violations exist on subject property.
- EVIDENCE:** Written and verbal public testimony submitted at the April 29, 2004 Zoning Administrator hearing.
- 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, found in the project file.
- EVIDENCE:** The on-site inspection by the project planner on April 13, 2004 to verify that the proposed project complies with the General Plan and the Greater Salinas Area Plan.
4. **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 Department of Planning and Building Inspection, Environmental Health Division, Public Works Department, Water Resources Agency, and Salinas Rural Fire Protection District. The respective departments determined no conditions of approval were necessary 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.
- EVIDENCE:** The sign will be viewed within the context of a four-lane highway corridor with an approximately 225-foot wide right of way. A 30-foot setback will be maintained from the right of way line, and the sign height will match the setback, resulting in a 1:1 setback to height ratio. Additionally, the sign will be visible to motorists on highway 101 from no closer than approximately 60 feet. The vertical and horizontal dimensions of the sign cabinet are each approximately one third of the sign height, and are below the 1:1 limit of sign area to lineal building frontage ratio allowed by the zoning regulations. Finally, the sign will be situated within a grouping of existing vertical features of similar or greater height, such as utility poles, buildings and pine trees, and will be visually compatible with these features due to the proposed green color.
- For the reasons above, the sign will be visually proportionate and compatible within the developed context, and will not result in significant visual impacts to the highway corridor.
- EVIDENCE:** Findings and Evidence for 3 above.
5. **FINDING:** The project is appealable to the Planning Commission.

EVIDENCE: Section 21.80.030.B of the Monterey County Zoning Ordinance (Title 21)

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. The subject Use Permit (**PLN030639**) is for the construction of a 30-foot tall, 98.1 square foot pylon sign. The project is located at 501 El Camino Real South (Assessor's Parcel Number 137-012-006), Salinas area. The project is in accordance with County ordinances and land use regulations, subject to the following terms and conditions. Neither the use 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 or Grading Permits:

2. The applicant shall record a notice, which states: "A permit (Resolution 030639 as approved by the Zoning Administrator for Assessor's Parcel Number 137-012-006 on April 29, 2004. The permit was granted subject to 3 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**)
3. The existing pole sign shall be removed. (**Planning and Building Inspection**)

PASSED AND ADOPTED this 29th day of April, 2004.

Original Signed By:

MIKE NOVO
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.