

MIKE NOVO
ZONING ADMINISTRATOR

STATE OF CALIFORNIA
COUNTY OF MONTEREY

RESOLUTION NO. 040415

A.P.# 133-491-007-000

In the matter of the application of
PACIFIC MEAT COMPANY (PLN040415)

FINDINGS & DECISION

for a Use Permit in accordance with Title 21 (Zoning) Chapter 21.74 (Use Permits) of the Monterey County Code, for a warehouse to allow the distribution of agricultural products (meat) to include: a 1,600 square foot office, a 1,695 square foot dock, a 5,687 square foot cold storage room, a 1,300 square foot freezer, a 112 square foot mechanical room, grading (approximately 1,200 cubic yards of cut and fill) and septic system, located at 11220 Commercial Parkway, Castroville (Assessor's Parcel Number 133-491-007-000), North County Area Plan, came on regularly for hearing before the Zoning Administrator on January 27, 2005.

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

FINDINGS OF FACT

- 1. FINDING:** The subject Use Permit as described in condition #1 and as conditioned, conforms with the plans, policies, requirements and standards of the Monterey County General Plan, North County Area Plan, and the Monterey County Zoning Ordinance (Title 21). The property is located at 11220 Commercial Parkway, Castroville. The parcel is zoned "HI/B-6" (Heavy Industrial). The site is physically suitable for the use proposed. 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: The Planning and Building Inspection staff reviewed the project, as contained in the application and accompanying materials, for conformity with:

- a) The Monterey County General Plan;
- b) The North County Area Plan; and
- c) Chapter 21.28 of the Monterey County Zoning Ordinance (Title 21) for the "HI" Zoning District.

EVIDENCE: The proposed development has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, Public Works Department, and Environmental Health Department. There has been no indication from these agencies that the site is not suitable for the proposed use. Necessary public facilities are available to the project site. Staff verification of the Monterey County Planning and Building Inspection Department records indicated that no violations exist on subject property, as conditioned. Each agency has reviewed the application and some have recommended conditions of approval.

EVIDENCE: Written and verbal public testimony submitted at public hearings before the Zoning Administrator.

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 file PLN040415.

EVIDENCE: The on-site inspection by the project planner on August 4, 2004 to verify that the proposed project complies with the plan policies and County Code regulations.

2. **FINDING:** The proposed project is categorically exempt from the California Environmental Quality Act.

EVIDENCE: Section 15332 of the County CEQA Guidelines categorically exempts the proposed development from environmental review. The subject property is situated within an existing, developed industrial park, surrounded by urban industrial uses.

EVIDENCE: A Determination of Initial Study for this project concluded that the project was qualified to meet the infill exemption CEQA section 15332.

3. **FINDING:** That adequate sewage disposal and water supply facilities exist or are readily available to the site, as approved by the Director of Environmental Health.

EVIDENCE: Materials in file PLN040415.

4. **FINDING:** Adequate road and transportation facilities exist for the use.

EVIDENCE: The property is located on Commercial Parkway, which is the main access road to the site.

EVIDENCE: The Public Works Department reviewed the proposed project, and has indicated no adverse traffic impacts will occur.

EVIDENCE: Materials in file PLN040415.

5. **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, and the Water Resources Agency. 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.

EVIDENCE: Adequate road and drainage infrastructure exists for the project.

EVIDENCE: Site inspection by Planner on August 4, 2004.

EVIDENCE: Materials in file PLN040415.

EVIDENCE: Preceding findings and supporting evidence.

6. **FINDING:** The 23 parking spaces proposed will be adequate to serve the project.

EVIDENCE: The Environmental Health Department restricts the number of employees on sites in the Castroville Industrial Park. This is done because the buildings are served by septic systems, and the Health Department seeks to limit the amount of nitrates produced by establishing 300 gallons of sewage per day per acre as the maximum level of nitrates allowed. Table "C" of Title 15, Chapter 15.20 establishes that 15 gallons of sewage per day are produced per factory worker or office employee. In accordance to the sewage

limitation above, the one-acre site is allowed 300 gallons of sewage per day. 15 gallons of sewage per employee divided into the 300 gallons permitted yields a maximum number of 20 employees for the site. The 23 spaces proposed will therefore be adequate to accommodate up to 20 employees, with three additional spaces for occasional visitors to the property.

EVIDENCE: Email in the project file from John Silva, dated September 30, 2004

EVIDENCE: Materials in file PLN040415

7. **FINDING:** The project is appealable to the Planning Commission.

EVIDENCE: Section 21.80.040.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 attached conditions.

PASSED AND ADOPTED this 27th day of January, 2005.

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.

<p align="center">Monterey County Planning and Building Inspection</p> <p align="center">Condition Compliance and/or Mitigation Monitoring Reporting Plan</p>	<p>Project Name: Pacific Meat Co.</p> <p>File No: PLN040415 APNs: 133-492-007-000</p> <p>Approval by: <u>Zoning Administrator</u> Date: <u>January 27, 2005</u></p>
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**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
1		<p>PBD029 - SPECIFIC USES ONLY</p> <p>Use Permit for a warehouse to allow the distribution of agricultural products (meat) to include: a 1,600 square foot office, a 1,695 square foot dock, a 5,687 square foot cold storage room, a 1,300 square foot freezer, a 112 square foot mechanical room, grading (approximately 1,200 cubic yards of cut and fill) and septic system.. The property is located at 11120 Commercial Parkway, Castroville (Assessor's Parcel Number 133-491-007-000), east of the intersection of Blackie Road and Commercial Parkway, North County area. This permit was approved 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)</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless other- wise stated	

2		<p>PBD025 - NOTICE-PERMIT APPROVAL</p> <p>The applicant shall record a notice, which states: "A permit (Resolution 040415) was approved by the Zoning Administrator of Monterey County for Assessor's Parcel Number 133-492-007-000 on January 27, 2005. The permit was granted subject to 17_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)</p>	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to Issuance of grading and building permits or start of use.	
3		<p>PBD030 - STOP WORK - RESOURCES FOUND</p> <p>If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (Planning and Building Inspection)</p>	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County Planning and Building Inspection Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner/ Applicant/ Archaeologist	Ongoing	
4		<p>(NON-STANDARD) - LANDSCAPE PLAN AND MAINTENANCE (OTHER THAN SINGLE FAMILY DWELLING)</p> <p>The site shall be landscaped. Prior to the issuance of the building permit, three (3) copies of a landscaping plan shall be submitted to the Director of Planning and Building Inspection for approval. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to</p>	Submit landscape plans to PBI for review and approval.	Owner/ Applicant/ Contractor		

		identify the location, species, and size of the proposed landscaping. The landscaping shall be installed and inspected prior to occupancy. All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (Planning and Building Inspection)	All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.	Owner/ Applicant	Ongoing	
5		PBD021 – LIGHTING – EXTERIOR LIGHTING PLAN 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. 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)	Submit three copies of the lighting plans to PBI for review and approval.	Owner/ Applicant	Prior to issuance of building permits.	
6		Non-standard Condition Six trees shall be included in the front yard area, at a minimum size of 36-inch box, 15 gallon, or equivalent, at planting. (Planning and Building Inspection Department)	Applicant's engineer or landscape architect shall prepare a landscape plan for review and approval.	Owner/ Applicant/ Engineer	Prior to Building/Grading Permits Issuance	
7		Non-standard Condition Any freestanding signs shall be subject to review and approval by the Planning Department. (Planning and Building Inspection)	Applicant's engineer or architect shall prepare a signage plan for review and approval.	Owner/ Applicant/ Engineer	Prior to Building/Grading Permits Issuance	

8		<p>Non-standard Condition</p> <p>23 parking spaces, including one handicapped-accessible space, shall be provided. No uses requiring in excess of 23 parking spaces shall be permitted. (Planning and Building Inspection Department)</p>	Applicant's engineer or architect shall prepare a parking plan for review and approval.	Owner/ Applicant/ Engineer	Prior to Building/ Grading Permits Issuance	
9		<p>Non-standard Condition</p> <p>Three bicycle rack spaces shall be provided and located near the main entrance of the building. (Planning and Building Inspection Department)</p>	Applicant's engineer or architect shall prepare a parking plan for review and approval.	Owner/ Applicant/ Engineer	Prior to Building/ Grading Permits Issuance	
10		<p>WR40 - WATER CONSERVATION MEASURES</p> <p>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:</p> <p>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.</p> <p>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)</p>	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/occupancy	
11		<p>WR8 - COMPLETION CERTIFICATION</p> <p>The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that stormwater detention/retention facilities have been constructed in accordance with approved plans. (Water Resources Agency)</p>	Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.	Owner/ Applicant/ Engineer/ Contractor	Prior to final inspection	

12		DRAINAGE PLAN (NON-STANDARD WORDING) Prior to issuance of grading or building permits, a drainage plan shall be prepared by a registered civil engineer or architect addressing on-site and off-site impacts, to include oil-grease/water separators for the paved parking areas. Impervious surface stormwater runoff shall be directed to the existing Castroville Industrial Park drainage improvements. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)	Submit 3 copies of the road improvement plan to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading permits	WRA
13		WATER USE INFORMATION (NON-STANDARD WORDING) The applicant shall provide the Water Resources Agency a copy of the Water Use & Nitrate Impact Questionnaire describing the pre-development and post-development water use on the property. (Water Resources Agency)	Submit the WUNIQ to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading permits	WRA
14		PW0007 – PARKING STD The parking shall meet the standards of the Zoning Ordinance and be approved by the Director of Public Works and the Director of Planning and Building Inspection. (Public Works)	Applicant's engineer or architect shall prepare a parking plan for review and approval.	Owner/ Applicant/ Engineer	Prior to Building/ Grading Permits Issuance	
15		FIRE011 - ADDRESSES FOR BUILDINGS All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	

		visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (North County Fire District)				
16		FIRE023 - FIRE ALARM SYSTEM - (COMMERCIAL) The building(s) shall be fully protected with an approved central station, proprietary station, or remote station automatic fire alarm system as defined by NFPA Standard 72. Plans and specifications for the fire alarm system shall be submitted by a California licensed C-10 contractor and approved prior to requesting a rough sprinkler or framing inspection. (North County Fire District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall submit fire alarm plans and obtain approval.	Applicant or owner	Prior to rough sprinkler or framing inspection	
			Applicant shall schedule fire alarm system acceptance test.	Applicant or owner	Prior to final building inspection	
17		FIRE026 - ROOF CONSTRUCTION (STANDARD) All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class B roof construction. (North County Fire District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	