

**Before the Zoning Administrator in and for the
County of Monterey, State of California**

In the matter of the application of:

**Redevelopment Agency of County of
Monterey (PLN090073)**

RESOLUTION NO. 10-034

Resolution by the Monterey County Zoning
Administrator:

- 1) Find the project Categorically Exempt per Section 15303 of the CEQA Guidelines, and
- 2) Approve the Use Permit to allow the conversion of a 1,572 square foot portion of an existing building from a senior center, formally the Pajaro Senior Center, to a medical clinic for Clinica de Salud.

[PLN090073, Redevelopment Agency of County of Monterey, 29A Bishop Street, Pajaro, North County Area Plan (APN: 117-323-013-000)]

The Redevelopment Agency of County of Monterey application (PLN090073) came on for public hearing before the Monterey County Zoning Administrator on August 12, 2010. 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 Monterey County General Plan,
 - North County Area Plan,
 - North County Area Plan, Inventory and Analysis,
 - Monterey County Zoning Ordinance (Title 21)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 29A Bishop Street, Watsonville (Assessor's Parcel Number 117-323-013-000, North County Area Plan. The parcel is zoned HDR/HR (High Density Residential, Historical Resource District), which allows public and quasi-public uses except for uses of a non-residential nature. The proposed medical clinic, Clinica de Salud, will be located within a public building owned by the County of Monterey Redevelopment Agency. The building is used for public purposes and in this case a portion of the building will be used by Clinica de Salud to provide medical care to a residents of Monterey

County, with a focus on families working in the agriculture industry. Therefore, the project is considered a Public/Quasi-Public use which is an allowed land use for this site.

- c) The proposed medical clinic will be accessory to the approved use of the structure, which is the Pajaro Community Center. This is consistent with the zoning requirements of the Title 21.
- d) Zoning for the subject property includes an HR (Historical Resource) zoning district overlay due to the Porter-Vallejo Mansion being on site. Section 21.54.080.E of the Monterey County Zoning Ordinance (Title 21) allows development on parcels with an identified historic resource provided that the project is designed and located to avoid significant adverse impacts on the historic resource. Since the only exterior change to the existing building is construction of an ADA access ramp to the north elevation of the structure, the modification is considered to be minor and will not impact the Porter-Vallejo Mansion.
- e) The project planner conducted a site inspection on April 23, 2010 to verify that the project on the subject parcel conforms to the plans listed above.
- f) The project was not referred to the Pajaro Citizen's Advisory Subcommittee for review. Based on the Land Use Advisory Committee Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did not warrant referral to the LUAC because the project is exempt from CEQA review, the project does not involve a variance, and the project does not require a Design Approval subject to review by the Zoning Administrator or the Planning Commission.
- g) 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 PLN090073.

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, North County Fire 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. Conditions recommended have been incorporated.
 - b) Staff identified potential traffic impacts caused by the project. Therefore, a technical report by an outside consultant was required prior to deeming the project complete. The Traffic Analysis 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 the report and concurs with its conclusions. The following report has been prepared:
 - *"Traffic Analysis" (LIB100175) prepared by Pinnacle Traffic Engineering, Hollister, Ca., May 24, 2010.*

- c) A geologic report prepared by Jacobs, Raas and Associates was submitted with the original Use Permit application (PC-6474) for construction of the building. No significant geologic hazards were identified.
- d) Pursuant to Section 21.66.050.C.5.c of the Monterey County Zoning Ordinance (Title 21), the applicant does not require submittal of an archaeological report because the project does not involve land clearing or land disturbance.
- e) There are 14 existing parking spaces on the subject property. Although the medical clinic only requires 7 spaces, the day care center and the Porter-Vallejo Mansion requires additional parking. The Redevelopment Agency of the County of Monterey and the Roman Catholic Bishop of Monterey entered into a Reciprocal Parking License Agreement on October 14, 2009. This agreement grants the Redevelopment Agency of the County of Monterey a non-exclusive right to use the 114 parking spaces located in the Our Lady of the Assumption parking lot, Monday through Friday from 7:00 a.m. to 5:00 p.m. and on Saturday from 7:00 a.m. to 12:00 p.m. The Public Works Department has reviewed the project and parking plan and no issues or concerns were identified and the existing parking was found to be suitable with the proposed use.
- f) The existing community center serves the needs of the surrounding area. Since the proposed medical clinic will be part of the community center and provide much needed services to the community, the proposed use is found to be within the context of the approved use.
- g) Staff conducted a site inspection on April 23, 2010 to verify that the site is suitable for this use.
- h) 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 PLN090073.

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 the North County Fire Protection District, Public Works, Environmental Health Bureau, and 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.
 - b) Necessary public facilities are available for the project. Water service for the existing building is currently being served by the Pajaro Sunny Mesa Community Service District and the Pajaro County Sanitation

District is the sewer purveyor. Staff has not received any indication that the proposed project will require an increase in the amount of water or generate a larger amount of wastewater which will require either Pajaro Sunny Mesa or the sanitation district to expand their facilities.

- c) The proposed medical clinic will generate some medical waste. Therefore, the Environmental Health Bureau has incorporated a standard condition of approval requiring the applicant to obtain a medical waste generator permit prior to occupancy.
- d) The existing structure currently sits on a property which is zoned for residential development. Normally uses such as medical clinics, such as the proposed project, are found to be incompatible within a typical residential area. The existing public quasi public use of the building is compatible with the area and is not detrimental to health, life, and safety. Furthermore, the conversion of a portion of the building into a medical clinic will generate less traffic in the area (see the Traffic Analysis dated May 24, 2010 prepared by Pinnacle Engineering). The citizens of the unincorporated area of Pajaro are strongly in favor of the project as it will provide medical and dental services within an area where alternative modes of transportation is heavily relied upon.
- e) Preceding findings and supporting evidence for PLN090073.

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 April 23, 2010 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 PLN090073.

5. **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) California Environmental Quality Act (CEQA) Guidelines Section 15303, categorically exempts the conversion of small structures from one use to another where only minor modifications are made in the exterior of the structure; specifically a store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances and not exceeding 2,500 square feet in floor area.
 - b) The proposed project includes a 1,572 square foot interior remodel of a 3,167 square foot building, which was used as a senior center. The remodeled portion will be converted to a medical clinic with one screening area, two medical examination rooms, and two dentist chairs.

Although some medical waste will be produced through the proposed use, the amount of hazardous material is not considered to be significant and the Environmental Health Bureau has incorporated a standard condition of approval (Condition No. 6) which requires the applicant to obtain a medical waste generator permit prior to occupancy.

- c) Section 15300.2 of the CEQA Guidelines lists exceptions to the exemptions, were projects normally found to be exempt from CEQA may require an environmental review. These exceptions include: project location, cumulative impact, significant effect, scenic highways, hazardous waste sites, or historical uses. The subject property is not located within an officially designated state scenic highway and it is not listed on the Cortese List (for hazardous materials sites) from the Department of Toxic Substances Control (DTSC). The subject Therefore, the project will not create a significant cumulative impact in the area.
- d) No adverse environmental effects were identified during staff review of the development application during a site visit on April 23, 2010.
- e) See preceding and following findings and supporting evidence.

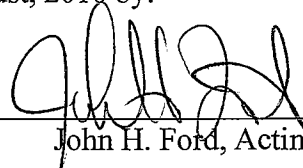
6. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Planning Commission.
- EVIDENCE:** Section 21.80.040.B of the Monterey County Zoning Ordinance (Title 21) designates the Planning Commission as the appeal authority to consider appeals from the discretionary decisions of the Zoning Administrator.

DECISION

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

- A. Categorically exempts the project per Section 15303 of the CEQA Guidelines, and
- B. Approves the Use Permit to allow the conversion of a 1,572 square foot portion of an existing building from a senior center, formally the Pajaro Senior Center, to a medical clinic for Clinica de Salud, in general conformance with the attached sketch (**Exhibit 2**) and subject to the conditions (**Exhibit 1**), both exhibits being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 12th day of August, 2010 by:



John H. Ford, Acting Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON **AUG 26 2010**

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

SEP 06 2010

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.

RESOLUTION <u>10-034</u> - EXHIBIT 1 Monterey County Resource Management Agency Planning Department Condition Compliance and/or Mitigation Monitoring Reporting Plan	Project Name: <u>Redevelopment Agency of County of Monterey</u> File No: <u>PLN090073</u> APNs: <u>117-323-013-000</u> Approved by: <u>Zoning Administrator</u> Date: <u>August 12, 2010</u>
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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.*

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
RMA – Planning Department						
1.		PD001 - SPECIFIC USES ONLY This Use Permit (PLN090073) allows the conversion of a 1,572 square foot portion of an existing building from a senior center, formally the Pajaro Senior Center, to a medical clinic for Clinica de Salud. The property is located at 29A Bishop Street, Watsonville (Assessor’s Parcel Number 117-323-013-000), North County Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. 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. (RMA-Planning Department)	Adhere to conditions and uses specified in the permit. 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. 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.	Owner/ Applicant RMA - Planning WRA RMA - Planning	Ongoing unless otherwise stated	

<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>
2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution 10-034) was approved by the Zoning Administrator for Assessor's Parcel Number 117-323-013-000 on August 12, 2010. The permit was granted subject to 9 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." (RMA-Planning Department)	Obtain appropriate form from the RMA-Planning Department. The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.	Owner/ Applicant RMA- Planning	Prior to the issuance of grading and building permits or commencement of use.	
3.		PD032(A) - PERMIT EXPIRATION The permit shall be granted for a time period of 3 years, to expire on August 12, 2013 unless use of the property or actual construction has begun within this period. (RMA – Planning Department)	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.	Owner/ Applicant	As stated in the conditions of approval	
4.		PD005a – NOTICE OF EXEMPTION Pursuant to CEQA Guidelines § 15062, a Notice of Exemption shall be filed for this project. The filing fee shall be submitted prior to filing the Notice of Exemption.	The applicant shall submit a check, payable to the <i>County of Monterey</i> , to the Director of the RMA - Planning Department.	Owner/ Applicant	After project approval.	
5.		PD029 - HOURS OF OPERATION Hours of operation shall be 8:00 to 5:00, Monday through Friday. (RMA – Planning Department)	Demonstrate compliance with the hours of operation to the Director of RMA – Planning Department.	Owner/ Applicant	Prior to use/ Ongoing	
Environmental Health						
6.		EHSP001 – MEDICAL WASTE PERMIT (NON-STANDARD) Prior to occupancy, the applicant shall obtain a medical waste generator permit from the Environmental Health Bureau. (Environmental Health)	Contact the Environmental Health Bureau to obtain the medical waste generator permit and pay all applicable fees.	Owner/ Applicant	Prior to occupancy	

<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>
Monterey County Water Resources Agency						
7.		WR22 - FLOODPLAIN RECORDATION The owner shall provide the Water Resources Agency a recorded Floodplain Notice stating: "The property is located within or partially within a floodplain and may be subject to building and/or land use restrictions." (Water Resources Agency)	Submit the recorded floodplain notice to the Water Resources Agency for review and approval. (A copy of the County's standard notice can be obtained at the Water Resources Agency.)	Owner/ Applicant	Prior to issuance of any grading or building permits	
North County Fire Protection District						
8.		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 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 Protection District)	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	

<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>
9.		FIRES001 – SPRINKLER SYSTEM INSPECTION (NON-STANDARD) Sprinkler System will need a 5 year inspection to ensure compliance with new rooms and walls. (North County Fire Protection District)	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. sprinkler inspection every 5 years.	Applicant or owner	Ongoing	

END OF CONDITIONS

Rev. 05/27/2010

Project / Owner:

PAJARO CLINIC
CLINICA DE SALUD
28A BISHOP ROAD
WATSONVILLE, CA 95076

PROJECT DESCRIPTION

OWNER: County of Monterey
Re-development & Housing
Attention: Ms. Jenny Hernandez
188 W. Fiscal Street
Salinas, CA 93901
(831) 755-5395

APPLICANT: Clinica de Salud Del Valle De Salinas
Atencion: Vania Rodriguez
440 Airport Blvd
Salinas, CA 93901
(831) 755-4393

ADDRESS: Pajaro Clinic
Clinica de Salud
28A Bishop Road
Watsonville, CA

APRIL: 117-323-013

ZONING: HDRRR

GENERAL PLAN DESIGNATION: HDRRR

SCOPE OF WORK: Conversion of a portion (1,572 SF) of an existing one-story building from a Senior Center to a medical clinic. No changes will be made to the exterior of the existing building. Except for a new Accessible Ramp for the front door.

SITE AREA: 24,935 SF

BUILDING AREAS: Existing one-story building 3,179 SF
Main Floor 1,572 SF

LOT COVERAGE: Buildings 6,482 SF / 26 %
Paving work 13,895 SF / 56 %
Landscaping 4,451 SF / 18 %

GRADING: None

TREE REMOVAL: None

THE PAUL DAVIS PARTNERSHIP
ARCHITECTS & PLANNERS

The Paul Davis Partnership, LLP
214 Eldorado Street
Menlo Park, CA 94025
(650) 321-5200 FAX (650) 321-2414
info@pauldavispartnership.com

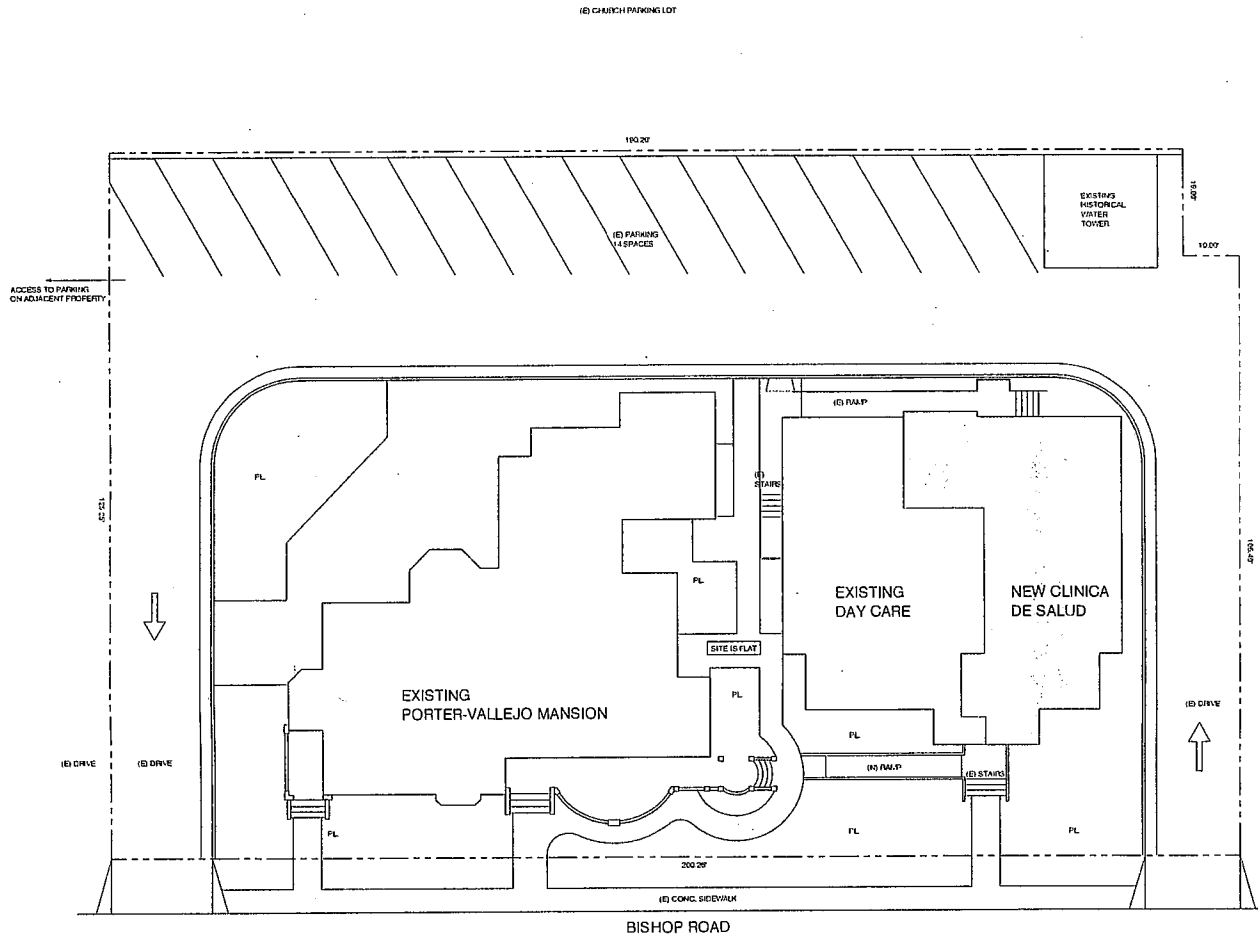
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Revisions:

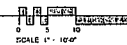
No part of this plan and specifications is intended to be construed as a contract. It is intended to be used in conjunction with the contract documents. The contract documents shall govern in the event of any conflict. The contract documents shall be available for review at the project site. The contract documents shall be available for review at the project site.

Sheet Title:
SITE PLAN

Sheet Number:



SITE PLAN
SCALE: 1/4" = 1'-0"



Project / Owner

PAJARO CLINIC
CLINICA DE SALUD
28A BISHOP ROAD
WATSONVILLE, CA 95076

THE PAUL DAVIS PARTNERSHIP
ARCHITECTS & PLANNERS

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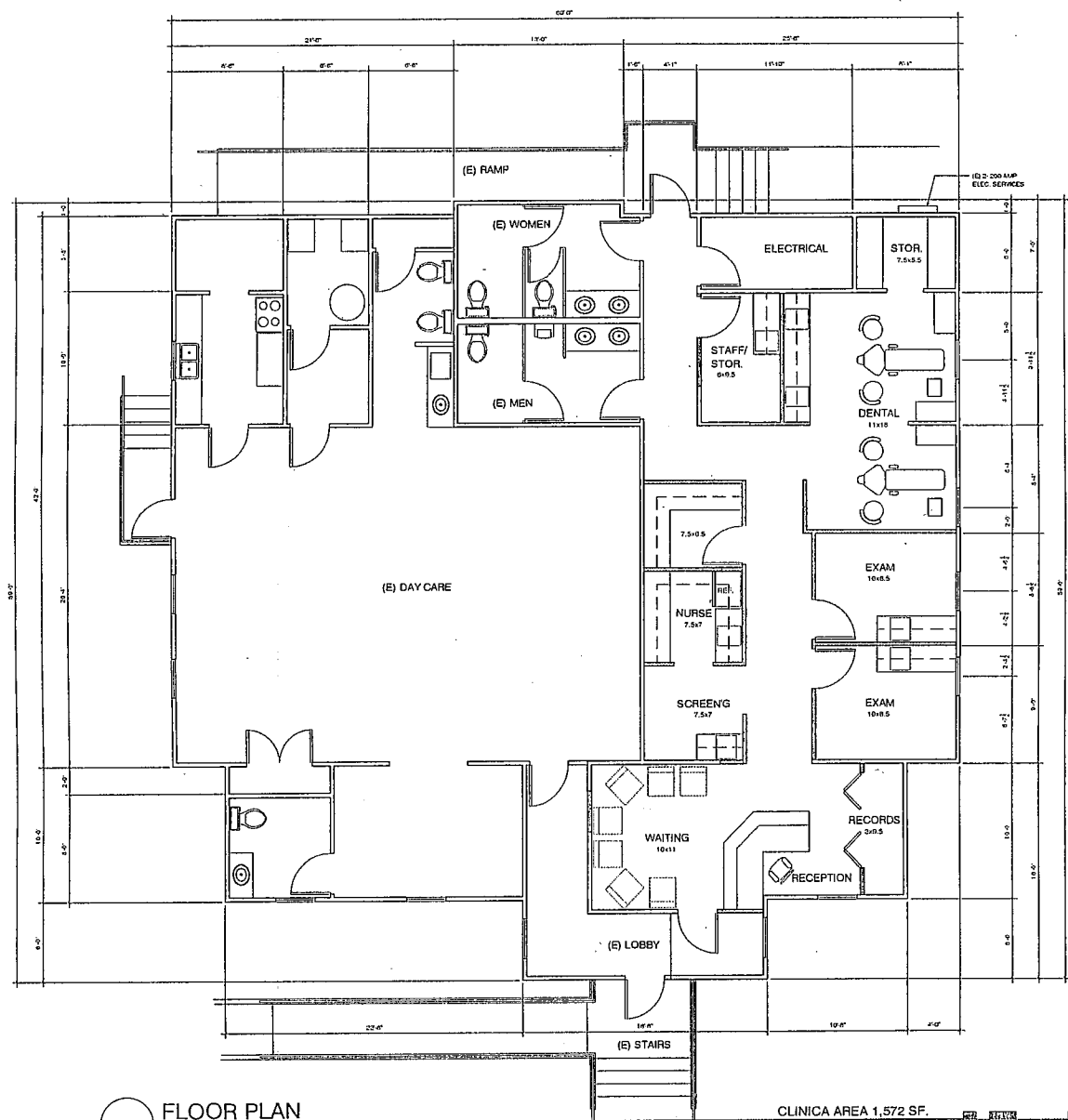
Design By: DA
Drawing Date: 8/8/09

Revisions:

No use of these plans and specifications is permitted by the owner until the entire set of plans, including all amendments and addendums, has been received by the owner. The owner, by accepting and utilizing the set of plans, warrants that the plans, specifications and addendums have been received by the owner and that the owner is responsible for the completion of the project.

Sheet Title:
FLOOR PLAN

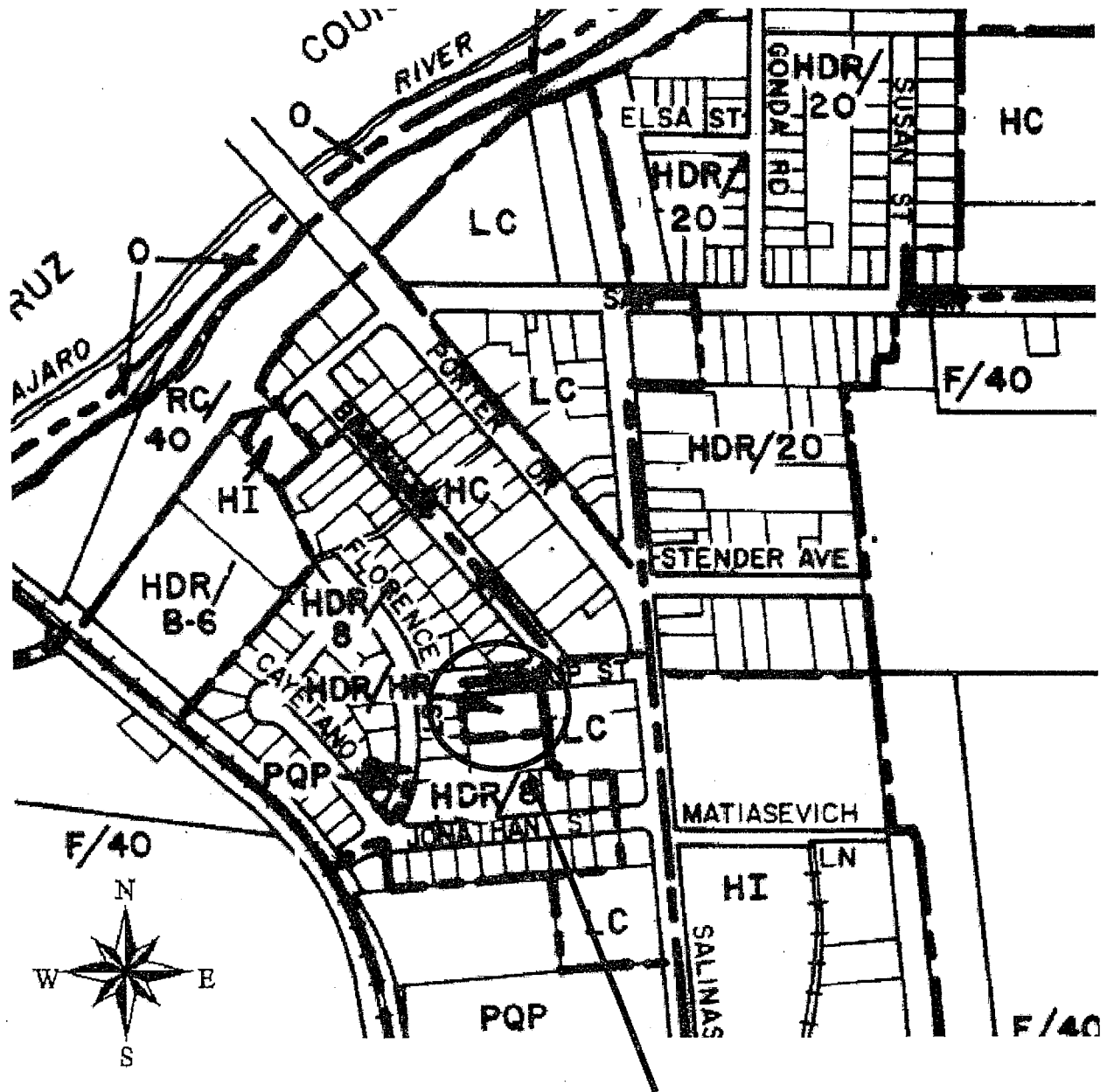
Sheet Number:



FLOOR PLAN
SCALE: 1/4" = 1'-0"
NORTH

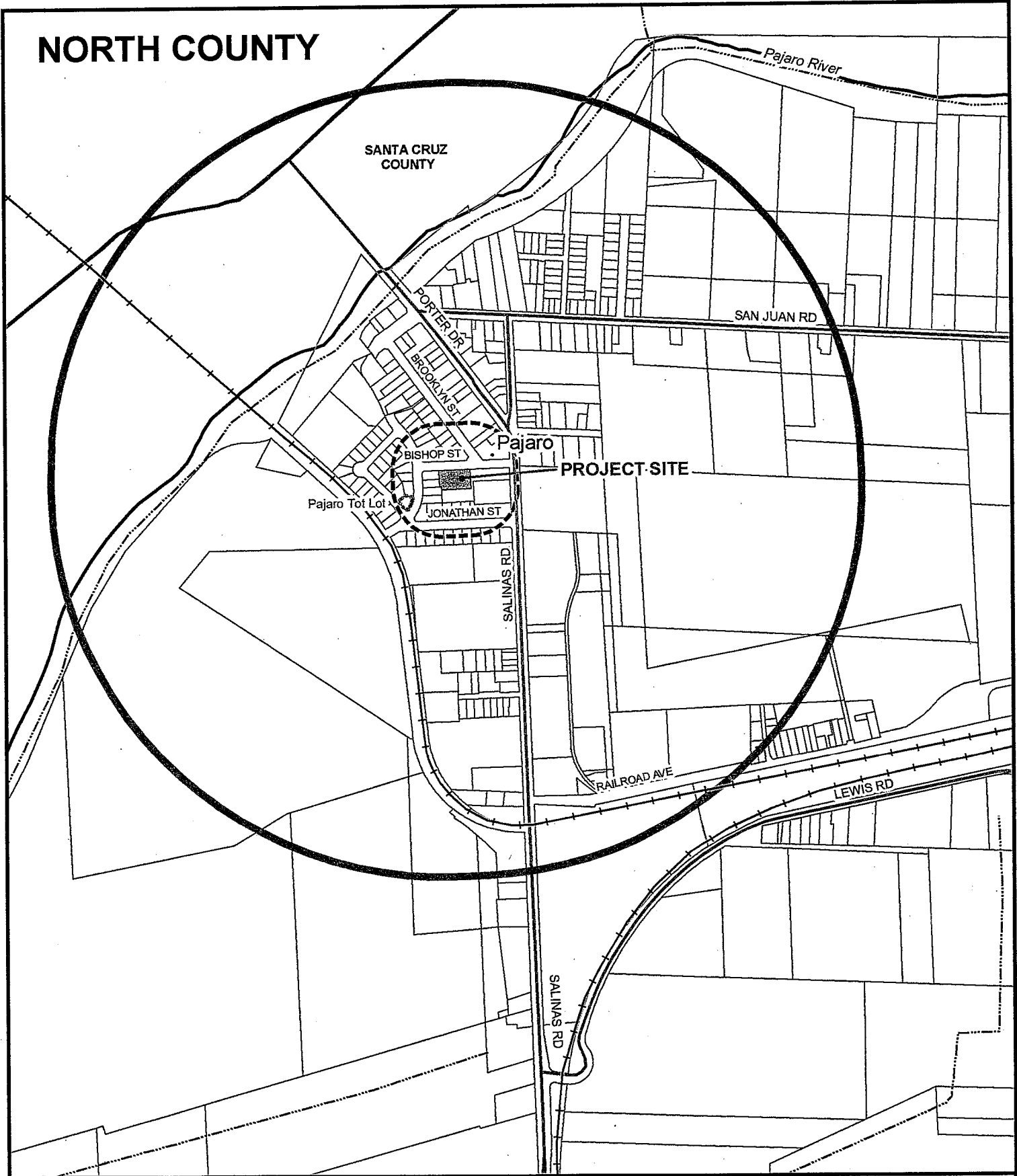
CLINICA AREA 1,572 SF.
NEW WALL
EXISTING WALL
SCALE 1/4" = 1'-0"

ZONING MAP



Subject Property

NORTH COUNTY



APPLICANT: COUNTY OF MONTEREY REDEVELOPMENT & HOUSING

APN: 117-323-013-000

FILE # PLN090073

 300' Limit  2500' Limit  City Limits  Water

