

**Before the Planning Commission in and for the
County of Monterey, State of California**

Resolution No. 08021

John and Alice Randazzo TRS (PLN080152))
Approve a waiver of the application processing)
and any applicable environmental review fees)
for the processing of an amendment of a Use)
Permit (ZA93059) necessary to allow the use of)
outdoor and indoor storage and sale of)
recyclable construction materials on the subject)
site, 10900 Merritt Street, Castroville,)
(Assessor's Parcel Number 030-165-002-000),)
based on the Planning Commission's authority)
to waive permit fees when the request does not)
meet the listed criteria for RMA-Planning)
Director-authorized fee waivers as established)
by the County Board of Supervisor's adopted)
Fee Waiver Policy of August 29, 2000.

WHEREAS, Use Permit No. ZA93059 was approved by the Zoning Administrator on November 17, 1994 subject to certain findings, evidence and conditions of approval; and

WHEREAS, Condition of Approval No. 4 of Use Permit No. ZA93059 allows "Open Air Retail Sales consisting of 35 spaces of 200 square feet each and 15 spaces of 120 square feet each;" and

WHEREAS, the use of "outdoor and indoor storage and sale recyclable construction materials" has been established on the property and this use is not specifically allowed by the provisions of Use Permit No. ZA03059; and

WHEREAS, County staff determined that the use of "outdoor and indoor storage and sale of recyclable construction materials" requires an amendment of Use Permit No. ZA93059; and

WHEREAS, the subject property owner has discontinued the approved open air retail sales portion of Use Permit No. ZA03059; and

WHEREAS, the subject property owner has agreed to amend Use Permit No. ZA03059 to include the use of "outdoor and indoor storage and sale of recyclable construction materials;" and

WHEREAS, the Planning Commission finds that the use of "outdoor and indoor storage and sale of recyclable construction materials" is an activity which serves an important public purpose; and

WHEREAS, placement of fill material on the property by the Monterey County Water Resources Agency has caused additional work for the Agency and the applicant; and

WHEREAS, the Planning Commission finds that an amendment to Use Permit No. ZA93059 to allow the use of "outdoor and indoor storage and sale of recyclable construction materials" requires a duly-noticed public hearing before the Zoning Administrator.


NOW, THEREFORE, BE IT RESOLVED THAT THE PLANNING COMMISSION, under its discretionary authority to waive permit fees when such action does not meet the established criteria granted to the RMA-Director of Planning under County Board of Supervisors Policy adopted on August 29, 2000, hereby waives the application processing fees (\$4,349.82) and any applicable environmental review fees (\$5,691.98), totaling \$10,041.80, for a publicly-noticed hearing on an application for an amendment of Use Permit No. ZA93059 to include the use of "outdoor and indoor storage and sale of recyclable construction materials" as part of the activities allowed under the permit.

NOW, THEREFORE, BE IT RESOLVED THAT THE PLANNING COMMISSION, under its discretionary authority to waive permit fees when such action does not meet the established criteria granted to the RMA-Director of Planning under County Board of Supervisors Policy adopted on August 29, 2000, hereby waives all application processing fees and any applicable environmental review fees based on the following:

- 1) The waiver would be an incentive to the property owner to begin work with the Redevelopment Agency towards developing a mixed use project for the site;
- 2) The owner has cooperated in closing a business that outgrew the site, with a loss of revenue; and
- 3) The proposed use will be recommended to be limited to five years as an interim use; and
- 4) The waiver of the fees will allow consideration of an amendment of the approved permit that would address and correct issues beyond the applicant's control.

PASSED AND ADOPTED this 14th day of May, 2008, by the following vote, to-wit:

AYES: Pessagno, Brown, Isakson, Rochester, Vandever, Sanchez, Diehl, Padilla, Ottone
NOES: None
ABSENT: Salazar



MIKE NOVO, SECRETARY

A COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON **MAY 22 2008**

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS. 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 **JUN - 1 2008**

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.