

RESOLUTION NO. 020165

A. P. # 177-132-039-000

In the matter of the application of  
**Monterey Pasta Company (PLN020165)**

**FINDINGS AND DECISION**

to allow a **Combined Development Permit** in accordance with Title 21 (Zoning) Chapter 21.76 (Combined Development Permits) of the Monterey County Code, consisting of a General Development Plan and Use Permit for an 8,500 sq. ft. pasta processing facility in an existing 40,000 sq. ft. warehouse; located at 340 El Camino Real South, Suite 35B, Salinas in the Firestone Business Park, south of Harris Road, Greater Salinas area, came on regularly for meeting before the Zoning Administrator on July 25, 2002.

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

1. **FINDING:** The subject Combined Development Permit, Planning File No. PLN020165, 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). The property is located at 340 El Camino Real South, Salinas area. The parcel is zoned "HI/B-5" (Heavy Industrial, Building Site District #5.) 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:** Application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development located in Planning File No. PLN020165.  
**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 Chapters 21.28 (Regulations for Heavy Industrial Zoning District) and 21.42 (Regulations for Building Site Zoning Districts) of the Monterey County Zoning Ordinance (Title 21).  
**EVIDENCE:** The project site is physically suitable for the proposed use as described in the project file. 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, Office of Economic Development; 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. The respective departments and agencies have recommended conditions for project approval, where appropriate.  
**EVIDENCE:** The Zoning Administrator considered any written and verbal public testimony submitted at the public hearing on the subject Combined Development Use Permit.  
**EVIDENCE:** Staff verification of the Monterey County Planning and Building Inspection Department records indicated that no violations exist on subject property.

2. **FINDING:** The proposed project will not have a significant environmental impact.  
  
**EVIDENCE:** Sections 15061(b) and 15301 Monterey County CEQA Guidelines, relating to alterations to existing facilities, categorically exempt the proposed development from environmental review. No adverse environmental impacts were identified during staff review of the development application. The 8,500 sq. ft. pasta production facility will be located within an existing 40,000 square-foot warehouse. The remaining 31,500 sq. ft. will continue to be used for warehousing and distribution.  
  
**EVIDENCE:** No new land disturbance is proposed in association with this project. The pasta production facility will occupy a portion of an existing building and the 2,000 gallons of process wastewater produced per day will be pumped to an existing pond.
  
3. **FINDING:** This project is designated as a Special Handling Project pursuant to the Special Handling Procedure for Economic Development Projects, adopted by the Board of Supervisors on February 16, 1993.  
  
**EVIDENCE:** Letter from the Monterey County Office of Economic Development, Environmental Resource Policy Division, dated June 2, 2002, located in Planning File No. PLN020165.
  
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 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.  
  
**EVIDENCE:** File and application materials located in Planning File No. PLN020165.
  
5. **FINDING:** This project is appealable to the Planning Commission.  
**EVIDENCE:** Section 21.80.040.B of the Monterey County Zoning Ordinance (Title 21).

**DECISION**

It is the decision of the Zoning Administrator of the County of Monterey that said application for a Combined Development Permit be granted as shown on the attached sketch and subject to the following conditions:

1. This Combined Development Permit allows an 8,500 sq. ft. pasta production facility within an existing 40,000 square-foot industrial warehouse and approximately 2,000 gallons of treated process wastewater disposed of in an existing pond. 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 Department)

**Continuous Permit Conditions:**

2. Any expansion of the pasta production facility or other intensification of the leased area will require a new Use Permit. (Planning and Building Inspection Department)
3. 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 Department)
4. 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 Department)
5. The California Regional Water Quality Control Board, Central Coast Region, shall be immediately notified of any proposed modification(s) in operations that will result in changes in waste discharge volume, nature, or location. (Regional Water Quality Control Board, Central Coast Region)
6. The California Regional Water Quality Control Board, Central Coast Region, shall be immediately notified of any discharges threatening water quality or public health, or that result in a condition of pollution or nuisance, including odors. (Regional Water Quality Control Board, Central Coast Region)
7. If applicable, apply to the California Regional Water Quality Control Board, Central Coast Region, for enrollment in a General Low Threat Waste Discharge Order, when it becomes available. (California Regional Water Quality Control Board, Central Coast Region)

**Prior to Commencement of Operations:**

8. Prior to the issuance of any building permits, provide evidence from the Monterey Bay Unified Air Pollution Control District that any permits required by that agency have been obtained. (Planning and Building Inspection Department)
9. Existing fire sprinkler systems in commercial 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. Rough-in inspections must be completed prior to requesting a framing inspection. (Salinas Rural Fire District)
10. 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 (NFPA) 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)

- 11. The applicant shall record a notice which states: "A Permit (Resolution # 020165) was approved by the Monterey County Zoning Administrator for Assessor's Parcel Number 177-132-039-000 on July 25, 2002. The permit was granted subject to 11 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 Department)

**PASSED AND ADOPTED** this 25<sup>th</sup> day of July, 2002.

Original Signed By:

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LYNNE MOUNDAY  
ZONING ADMINISTRATOR

COPY OF THIS DECISION MAILED TO 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 90<sup>th</sup> 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 2 years after the above date of granting thereof unless construction or use is started within this period.