



Zoning Administrator ANNOTATED AGENDA Regular Meeting

Zoning Administrator

Todd Bennett
Senior Associate Planner

City Council Chambers
Few Memorial Hall of Records
Pacific and Madison Streets
Monterey, California

December 29, 2005
4:00 p.m.

CALL TO ORDER

Senior Associate Planner Bennett called the meeting to order at 4:00 PM

PUBLIC COMMENTS

PUBLIC COMMENTS allows the public to speak for a maximum of three minutes on any subject which is not on the agenda. Any person or group desiring to bring an item to the attention of the Zoning Administrator may do so by addressing the Administrator during Public Comments or by addressing a letter of explanation to: Zoning Administrator, City Hall, Monterey CA 93940. The appropriate staff person will contact the sender concerning the details.

No Public Comments.

PUBLIC HEARINGS

PUBLIC HEARINGS are held to receive public comment on certain items pending Zoning Administrator action. You are welcome to offer your comments after being recognized by the Administrator. The Administrator may limit the time allocated to each speaker.

1. **524 Fremont Street; Major Use 05-508; Applicant Sal DiMaggio; Owner Maria Davi; C-2 Zoning District; Exempt From CEQA Requirements.**

Request Use Permit for conversion of existing building to new use of motorcycle service and repair with apparel sales. Vehicle service use requires a Use Permit in the C-2 Zoning District.

ACTION: Approved with Standard and Special Circumstance Findings: 1) That the site is zoned C-2 and is located across Fremont Street from property zoned R-3-6 (Residential, Medium Density). Zoning Code Section 38-29(B) prohibits Vehicle/Equipment Repair – Limited when adjacent to residential zone. The use of site across street is for a church, and the R zoning designation is a holding designation and is not reflective of the current or immediate future uses. Therefore, approval of this project will not be detrimental or injurious to property or improvements in the vicinity of the development site. 2) That the proposed use will comply with adopted Conditions of Approval, including Condition of Approval #2, which restricts servicing of vehicles to the rear of the existing building and away from the Fremont Street frontage.

Standard and Special Conditions of Approval: 1) That the Use Permit is granted to allow for vehicle (motorcycle) service, repairs and apparel sales as described in the November 23, 2005 description letter. 2) In accordance with Monterey City Code Chapter 31.5, "Storm Water Management", applicant shall submit a storm water pollution prevention plan (SWPPP) and design documents (the Plan) certified by a professional engineer for reducing pollutants in storm water discharges, to the maximum extent practicable, to the Public Works Department. At a minimum, the Plan shall include best management practices (BMPs) for reducing non-storm water discharges to the storm drain system. 3) The applicant shall comply with all of the requirements of the Building Division and the Fire Department.

2. **32 Cannery Row; Application 05-496 to Reopen Use Permit 03-317; Applicant Monterey Bay Boatworks Company (Diane Colwell or Mike Maiorana); Owner City of Monterey; N/A Zoning District; Negative Declaration Previously Filed.**

Request for extension of Use Permit for a proposed project amending the Master Plan for Monterey Bay Boatworks to allow the addition of 22 boat slips in the marina and construction of an approximate 1,872 square foot, 2-story administrative building (the boat slips have been completed).

ACTION: Approved with Standard and Special Circumstance Findings: 1) That the requested extension of the approved Master Plan amendment and the additions proposed in it are in accord with the objectives of the General Plan and existing Master Plan. 2) That the addition of a 1-story, 462 square feet bathroom facility, as detailed on the November 14, 2005 Floor Plan and Elevations and the proposed Conditions of Approval, will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City.

Standard and Special Conditions of Approval: 1) Prior to applying for Building Permits, the applicant shall apply for and receive Architectural Review Committee (ARC) review and approval of the expansion plans, including review of the building design to assure compatibility with the existing improvements, and a lighting plan to avoid glare or light overspill across property lines. 2) Prior to submittal of a building permit application to construct the bathroom facilities building, the applicant shall designate a use for the existing administrative office space, and modify the parking plan to accommodate that use with on-site parking. 3) The applicant shall comply with all requirements of the Fire Department and Building Division, including confirmation of base flood elevation and demonstration that the bathroom facilities building is set above the base flood elevation. 4) The applicant shall comply with requirements of the Public Works Department. 5) Prior to issuance of a building permit, the applicant shall provide documentation that the project has been reviewed and approved by the Coastal Commission and Army Corps of Engineers. 6) Special drilling equipment and sediment curtains shall be used to reduce suspended sediment levels during construction and minimize the effects of turbidity on filter feeding invertebrates to a less-than-significant level. 7) Any equipment operated within, or adjacent to, the water shall be checked and maintained daily to prevent leaks of materials that could be deleterious to marine life. Petroleum products, and other substances that could be deleterious to marine life, shall be prevented from contaminating the sand and entry to nearby waters. Any of these spilled materials shall be removed immediately by the contractor. The California Department of Fish and Game (CDFG) shall be notified by the contractor or City immediately upon any spill incident and consulted regarding clean-up procedures. Oil spill booms, absorbent material, and spill containment devices shall be readily available on-site. 8) Construction materials shall not be coated or treated with any materials/chemicals that may leach into the surrounding environment and adversely affect biological resources or water quality. 9) Concrete, rip-rap, or other similar rubble shall be free of trash, silt, or reinforced steel. 10) Stockpiles of construction debris or material shall be separated from the water and any wave action by at least 25 feet. 11) The project is subject to the categorical water allocation program approved by the City Council. The applicant shall proceed at his own risk that water may not be available at the time he requests Building Permits. No Building Permits shall be issued if water is not available to this project. 12) This permit shall become null and void if a building permit is not issued for the bathroom facilities building, or an application is submitted requesting a Use Permit extension, within twenty-four months of the date of granting by the Zoning Administrator. It is the applicant's responsibility to track the 24-month expiration date and request permit approval extensions prior to the permit expiration date. No renewal notice will be sent to the applicant.

ADJOURNMENT: 4:24 P.M.

The next meeting will be held January 12, 2006

ZONING ADMINISTRATOR: _____

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