



County of Monterey Planning Commission

Item No.4

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

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REFERRAL 24.1 - REBUILD STATUS FOR BURNED DOWN PROPERTY IN PAJARO

- a. Consider receiving a status update regarding rebuild status of property in Pajaro just off the bridge along Porter Drive;
- b. Provide direction to staff.

Project Location: North County Inland Area (APN 117-332-003-000)

Proposed CEQA action: Statutory Exemption pursuant to Section 15262 of the CEQA.

RECOMMENDATION:

It is recommended that the Planning Commission:

- a. Receive status update regarding rebuild status of property in Pajaro just off the bridge along Porter Drive;
- b. Provide direction to staff.

SUMMARY

This report provides a response regarding Planning Commission Referral No. 24.1 (Rebuild Status for Burned down property in Pajaro).

In 2017, an unprecedented fire damaged both the commercial and residential buildings located at 8 Porter Road, Pajaro, California. The residential building sustained partial damage. A building permit (17CP02147) was applied for in 2017 to repair the affected residential building. The repairs were completed, and the permit was finalized in 2018. As of today, the residential building shows no visible signs of fire damage and is occupied by residents.

The commercial building previously housed a small appliance repair store and a hair salon. Due to the fire, neither business was able to resume operations in the building. Since then, the commercial property has remained vacant, fenced off, and has contributed to community blight. Over the years, multiple code enforcement cases have been opened due to the building's poor condition. Efforts to redevelop the site began in 2020 but faced delays and challenges, ultimately resulting in the abandonment of the initial redevelopment plans. Currently, the commercial property remains vacant and fenced off. A demolition permit for the remaining structure has been submitted and is ready to proceed, pending final actions by the property owner.

DISCUSSION

In 2018, the first code enforcement case (18CE00393) was opened on the property that was triggered by the fire damaged commercial building, overgrown weeds, and the poor conditions of the property that continued to cause a public nuisance. This code enforcement case was

resolved when the property owner cleaned up the property and was issued demolition permits to demolition the portions of the commercial building that was damaged by the fire. Subsequently, a planning pre-application (PLN200234) was submitted to the County in October of 2020 for a General Development Plan to allow a rebuild of 5,246 square foot existing fire damaged commercial building and addition of a 5,246 square foot four (4) apartment units for residential use to the second floor and expansion of parking and landscaping. A planner was assigned to the project shortly after and a project checklist was sent to the applicant in March of 2021. The project was formally submitted in October of 2022, at which point it was reviewed by the fire department and HCD-Environmental Services, but incomplete by the Environmental Health Bureau (EHB) and HCD-Engineering Services, who requested a can and will serve letter from Pajaro Sunny-Mesa Community Services District for potable water service, and a traffic assessment, respectively. These materials were subsequently submitted and the departments revised their determinations to complete in May, 2023. Planning staff requested additional information and clarifications for their review of the proposed project in June, 2023. The applicant needed provide the total square footage and number of units for the existing apartments to ensure they comply with Title 21, Section 21.20.060.R, which requires residential space in Heavy Commercial zoning to be smaller than commercial space. This information would be used for the affordable housing calculations under Monterey County Code Chapter 18.40. Additionally, there was concerns setback between the proposed building and the neighboring lot (APN 117-332-002-000) which need to be specified to address egress, fire rating, and other structural concerns, with setbacks determined by the General Development Plan. Finally, planning staff requested the applicant to revise General Development Plan narrative to allow for flexibility in future retail uses while staying consistent with Title 21. Staff met with the project architect to review their questions and re-forwarded them on September 27, 2023, but no resubmittal was received afterward.

The most recent activity on the project was its presentation to the North County Land Use Advisory Committee in August 2023, where the proposal was recommended for approval as submitted. However, the applicant has not been actively pursuing the project, and recent conversations between County staff and the property owners indicate that a new property agent would be taking over the design and planning of the project to submit a new development proposal. As the previous project (PLN200234) was deemed economically unfeasible due to high costs. The new approach aims to add more residential units while retaining similar commercial space, and the team is currently collaborating with a new architect to develop a revised design for a formal submittal to the County.

A second code enforcement citation was issued to the property owner on September 30, 2021, for the substandard fire damaged building, storage of inoperable vehicles and poor property conditions that continue to cause public nuisance. In July of 2022, the County and the property owner entered into a stipulated agreement in which the administrative fines and penalties would be waived upon immediate removal of the accumulation of rubbish and garbage and that a construction permit be pulled to have the building be repaired or demolished.

On September 23, 2024, a construction permit application was submitted to demolition the remaining 2,676 square feet of commercial building on the property (24CP03040). As of December 12, 2024, the permit has been reviewed for completeness and ready to be issued to the applicant. The applicant would need to pull the permit and pay the outstanding fees to

proceed with demolition of the remaining 2,676 square feet of commercial building.

ENVIRONMENTAL REVIEW

This report is Statutorily Exempt pursuant to Section 15262 of the CEQA Guidelines it does not involve a commitment to a project.

OTHER AGENCY INVOLVEMENT

Multiple County departments are involved in planning efforts in for this planning project located in Pajaro: County of Monterey Housing and Community Development is leading this effort; Health Department's Environmental Health Bureau a, Civil Rights Office; County Administrative Office's Sustainability Program and Office of Community Engagement and Strategic Advocacy; and the Public Works, Facilities and Parks Department.

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cc: Monterey County Department of Emergency Management, Monterey County Department of Public Works, Monterey County Environmental Health Bureau, Monterey County Civil Rights Office, Monterey County Water Resources Agency, US Army Corps of Engineers, Monterey County District 1, Monterey County District 2