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In the matter of the application of
DECISION

FINDINGS &

Bruce C. & Lisa A. Ruddell (PLN020171)

for a Coastal Administrative Permit in accordance with Title 20 (Zoning) Chapter 20.76 (Coastal Administrative Permits) of the Monterey County Code, to allow for the construction of a new 2,320 sq. ft. two-story single family dwelling and attached garage. The existing mobile home to be used as a temporary residence only during construction of the single family dwelling, located at 276 Paradise Road, Salinas, fronting and easterly of Paradise Canyon Road, North County area, Coastal Zone, came on regularly for meeting before the Zoning Administrator on October 31, 2002.

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

FINDINGS OF FACT

- 1. FINDING:** The Coastal Administrative Permit and Design Approval (PLN020171), as described in Condition #1, is consistent with the Monterey County North County Land Use Plan (LUP). The LCP for this site consists of the North County Coastal Implementation Plan (Part 2), Part 6 of the Coastal Implementation Plan, and the Monterey County Zoning Ordinance (Title 20). The site is physically suitable for the use proposed. The project is in conformance with the public access and public recreation policies of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights (see 20.70.050.B.4). No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.70.050.B.4.c of the Monterey County Coastal Implementation Plan, can be demonstrated.

EVIDENCE: The application and plans submitted for the Coastal Administrative Permit in project file PLN020171 at the Monterey County Planning and Building Inspection Department.

EVIDENCE: The site is not located within an archaeologically sensitive area. The proposed development area has been previously disturbed and does not include grading activities.

EVIDENCE: The Soils Report prepared by Rogers E. Johnson Consulting Engineering Geologists, dated June 26, 1990, for the Cody Land Subdivision, concludes that the site is suitable for the proposed development.

EVIDENCE: On September 3, 2002, the North County Coastal Land Use Advisory Committee voted 5 to 0 to recommend approval.

EVIDENCE: The project has been reviewed by the Monterey County Planning and Building Inspection Department, North County Fire Protection Department, Water Resources Agency, Public Works Department and Health Department. There has been no indication from these agencies that the site is not suitable. There are no physical or environmental constraints such as geologic or seismic hazard areas, environmentally sensitive habitats, or similar areas that would indicate the site is not suitable for the use proposed.

EVIDENCE: The subject parcel was created by the Cody Land Subdivision recorded in Volume 19 (Cities and Towns) page 105. The parcel was evaluated for consistency with policies of the Local Coastal Program. As part of the subdivision, a scenic easement exists on the parcel to preclude development on steep slopes and areas located within Maritime Chaparral.

EVIDENCE: The subject property is not described as an area where the Local Coastal Program requires public access.

EVIDENCE: Site visit conducted by Planning and Building staff.

2. **FINDING:** The proposed project will not have a significant environmental impact.

EVIDENCE: Section 15302 of the Monterey County CEQA Guidelines categorically exempts replacement of existing structures when the new structure will be located on the same site and for the same purpose and capacity from environmental review. No adverse environmental impacts were identified during staff review of the project application.

3. **FINDING:** The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivisions and other applicable provisions of Title 20, and Zoning Violation abatement costs, if any, have been paid.

EVIDENCE: Sections 20.16 and 20.64.050 of the Monterey County Coastal Implementation Plan. Staff verification of the Monterey County Planning and Building Inspection Department records indicates that no violations exist on subject property.

4. **FINDING:** The establishment, maintenance, and operation of the proposed development applied for will not under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.

EVIDENCE: Preceding findings and supporting evidence.

5. **FINDING:** The decision on this project is appealable to the Board of Supervisors; it is not appealable to the California Coastal Commission.

EVIDENCE: Section 20.86.070 of the Monterey County Coastal Implementation Plan.

DECISION

THEREFORE, it is the decision of said Zoning Administrator, that said application for a Coastal Administrative Permit be granted as shown on the attached sketch, subject to the following conditions:

1. The Coastal Administrative Permit (PLN020171) allows for construction of a new 2,320 sq. ft. two-story single family dwelling and attached garage. The existing mobile home will be used as a temporary residence only during construction of the single family dwelling. The property is located at 276 Paradise Road (Assessor's Parcel Number 129-096-036-000), fronting and easterly of Paradise Canyon Road, North County area, Coastal Zone. 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)**

PRIOR TO THE ISSUANCE OF GRADING AND BUILDING PERMITS:

2. The applicant shall record a notice which states: "A permit (Resolution No. 020171) was approved by the Zoning Administrator for Assessor's Parcel Number 129-096-036-000 on October 31, 2002. The permit was granted subject to 18 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)**

3. 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. If applicable, the applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. **(Planning and Building Inspection)**
4. The use of the temporary residence must cease within 18 months of the date of issuance of the building permit for the permanent residence or occupancy of the permanent dwelling whichever occurs first. Upon cessation of the use, the mobile home must be removed from the property. **(Planning and Building Inspection)**
5. Prior to the issuance of a building permit, the applicant shall provide to the Water Resource Agency information on the water system to serve the project, including the location of all water wells on the property, any well logs available, and the number of current hookups. **(Water Resources Agency)**
6. Prior to the issuance of a building permit, a drainage plan shall be prepared addressing on site and off-site impacts, to include retention/percolation facilities to mitigate the impact of impervious surface storm water runoff. Necessary improvements shall be constructed in accordance with approved plans. Subject to approval by the General Manager of Water Resources Agency, prior to the issuance of building permits. **(Water Resources Agency)**
7. The building(s) shall be fully protected with automatic fire sprinkler system(s). The following notation is required on the plans when a building permit is applied for:

“The building shall be fully protected with an automatic fire sprinkler system. Installation, approval and maintenance shall be in compliance with applicable National Fire Protection Association and/or Uniform Building Code Standards, the editions of which shall be determined by the enforcing jurisdiction. Four (4) sets of plans for fire sprinkler systems must be submitted and approved prior to installation. Rough-in inspections must be completed prior to requesting a framing inspection; garage included.” **(North County Fire District)**
8. Before construction begins, temporary or permanent address numbers shall be posted. Permanent address numbers shall be posted prior to requesting final clearance. All address numbers (permanent and temporary) shall be posted on the property so as to be clearly visible from the road. Where visibility cannot be provided, a post or sign bearing the address numbers shall be set adjacent to the driveway or access road to the property. Address numbers posted shall be Arabic, not Roman or written out in words. Address numbers posted shall be a minimum number height of 3 inches with a 3/8-inch stroke, and contrasting with the background colors of the sign. **(North County Fire District)**

PRIOR TO FINAL BUILDING INSPECTION/OCCUPANCY:

9. For residential driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius of curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. **(North County Fire District)**

10. Roadway turnarounds shall be required on driveways and dead-end roads in excess of 150 feet of surface length. Required turnarounds on access roadways shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the centerline of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. **(North County Fire District)**
11. Roadway turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum 25-foot taper on each end. **(North County Fire District)**
12. Driveways shall not be less than 12 feet wide unobstructed. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400 foot intervals. **(North County Fire District)**
13. All parcels 1 acre and larger shall provide a minimum 30-foot setback for buildings and accessory buildings from all property lines and/or the center of the road. For parcels less than 1 acre, or when a 30-foot minimum setback cannot be reached, alternate fuel modification standards may be imposed by the local fire jurisdiction to provide the same practical effect. **(North County Fire District)**
14. Where road grades exceed 8 percent, a minimum structural roadway surface thickness of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. **(North County Fire District)**
15. All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface, shall require a minimum of Class B roof construction. **(North County Fire District)**
16. The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:
 - a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.
 - b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. **(Water Resources Agency)**
17. The site shall be landscaped. At least three weeks prior to occupancy, three copies of a landscaping plan shall be submitted to the Director of Planning and Building Inspection for approval. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, specie, and size of the proposed landscaping materials and shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County Planning and Building Inspection Department. **(Planning and Building Inspection)**
18. The materials and colors to be used for the residence(s) shall consist of those approved by the North County Land Use Advisory Committee on September 3, 2002. **(Planning and Building Inspection)**

PASSED AND ADOPTED this 31st day of October, 2002.

Original Signed By:

LYNNE MOUNDAY
ZONING ADMINISTRATOR

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON

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

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THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE BOARD OF SUPERVISORS. THIS PROJECT IS NOT APPEALABLE TO THE CALIFORNIA COASTAL COMMISSION.

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 two years after the above date of granting thereof unless construction or use is started within this period.