

MIKE NOVO  
ZONING ADMINISTRATOR

STATE OF CALIFORNIA  
COUNTY OF MONTEREY

RESOLUTION NO. 040431

In the matter of the application of  
**HAYS KATHERINE M (PLN040431)**

APN# 125-091-077-000  
**FINDINGS & DECISION**

Use Permit for development on slopes in excess of 30 percent. The project consists of a 1,710 Square feet two-story addition to an existing 1,683 Square feet Single family dwelling and includes 88 cubic yards of cut and 88 cubic yards of fill. The property is located at 9000 Holly Hill Drive, Salinas, North County Non-Coastal Area.

### **FINDINGS OF FACT**

- 1. FINDING:** The proposed use permit (PLN040431) as described in the staff report and associated plans conforms with the plans, policies, requirements and standards of the General Plan, North County Non-coastal Area Plan and Monterey County Zoning Ordinance (Title 21). The property is the Hays residence located at 9000 Holly Hills Drive, Salinas, (Assessor's Parcel Number 125-091-077-000). The parcel is zoned Resource Conservation/10 acre minimum (RC/10). The land use entitlements conferred by this permit shall not commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of Planning and Building Inspection. The subject site 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:** The text and policies of the North County Non-coastal Area Plan and the Monterey County General Plan have been evaluated during the course of the review of this application. No conflict or inconsistencies with the text or the policies were found to exist. No testimony, either written or oral, was received during the course of public hearing to indicate that there is any inconsistency with the North County Non-coastal Area Plan or the Monterey County General Plan.

**EVIDENCE:** Materials in project file PLN040431.

**EVIDENCE:** Policy 26.1.10(A) & (B) of the Monterey County General Plan and Section 21.64.230(E) of the Zoning Code.

**EVIDENCE:** There has been no testimony received either written or oral, during the course of public hearings to indicate that the site is not suitable for the project. Necessary public facilities are available for the use proposed. The project has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, the North County Non-coastal District, Public Works Department and Environmental Health Division. There has been no indication from these agencies that the site is not suitable. There are no physical or environmentally sensitive habitats, or similar areas that would indicate the site is not suitable for the use proposed.

- 2. FINDING:** There is no feasible alternative which would allow development to occur on slopes of less than 30 percent.

**EVIDENCE:** Material and project plans in PLN040431.

**EVIDENCE:** Correspondence from Guy R. Giraudo, P.E., Landset Engineers

**EVIDENCE:** Photographs in project file PLN040431.

**EVIDENCE:** The North County Non-coastal Land Use Advisory Committee recommended approval of the project without conditions on a 6-0 vote on December 1, 2004.

**EVIDENCE:** There has been no testimony received either written or oral, during the course of public hearings to indicate that the site is not suitable for the project. Necessary public facilities are available for the use proposed. The project has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, the No. Co. Fire Department, Public Works Department and Environmental Health Division. There has been no indication from those agencies that the site is not suitable. There are no physical or environmentally sensitive habitats, or similar areas that would indicate the site is not suitable for the use proposed.

- 3. FINDING:** The establishment, maintenance, or operation of the use will not under the circumstances of the particular case, be detrimental to health, safety, comfort, and general welfare of persons residing or working 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 Department of Planning and Building Inspection, Environmental Health Department, Public Works Department, the Water Resources District and North County Fire District. The respective departments 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:** Materials in project file PLN040431.

- 4. FINDING:** The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision and any other applicable provisions of the County's zoning ordinance. No violations exist on the property, and all zoning violation abatement cost, if any, have been paid.

- 5. FINDING:** The approved project will not have a significant adverse impact on the environment.

**EVIDENCE:** Section 15303(e) of the California Environmental Quality Act Guidelines (New Construction or Conversion of Small Structures) categorically exempts this project from environmental review.

**EVIDENCE:** Project plans and materials in project file PLN040431.

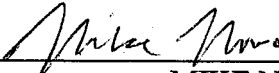
**EVIDENCE:** Recommendation for approval (6-0) by the North County Non-Coastal Land Use Advisory Committee dated December 1, 2004.

**EVIDENCE:** Grading impacts will be addressed by use of standard grading erosion control practices and the application of the Grading and Erosion Control Ordinance (Title 16) provisions.

## DECISION

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

**PASSED AND ADOPTED** this 31<sup>st</sup> day of March, 2005.

  
\_\_\_\_\_  
MIKE NOVO  
ZONING ADMINISTRATOR

COPY OF THIS DECISION MAILED TO APPLICANT ON      **MAY 05 2005**

**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 90th day following the date on which this decision becomes final.

### NOTES

**MAY 15 2005**

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 Marina.
2. This permit expires 2 years after the above date of granting thereof unless construction or use is started within this period.

**Monterey County Planning and Building Inspection  
Condition Compliance and/or Mitigation Monitoring  
Reporting Plan**

**Project Name:** *Hays*

**File No:** PLN040431

**APN** 125-091-077-000:

**Approval by:** Zoning Administrator **Date:** March 31, 2005

*\*Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
1		<b>PBD029 - SPECIFIC USES ONLY</b> This use permit allows development of a two-story, 1,710 sq. ft addition to an existing 1,683 sq. ft single family dwelling. The property is located at 9000 Holly Hill Drive, Prunedale (Assessor's Parcel Number 125-091-077-000). This permit was approved 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. <b>(Planning and Building Inspection)</b>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless other-wise stated	

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2		<b>PBD025 - NOTICE-PERMIT APPROVAL</b> The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Zoning Administrator for Assessor's Parcel Number 125-091-077-000 on March 31, 2005. The permit was granted subject to 8 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. <b>(Planning and Building Inspection)</b>	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to Issuance of grading and building permits or start of use.	
3		<b>PBD030 - STOP WORK - RESOURCES FOUND</b> If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. <b>(Planning and Building Inspection)</b>	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County Planning and Building Inspection Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner/ Applicant/ Archaeologist	Ongoing	
4		<b>WR45 - WELL INFORMATION</b> The applicant shall provide the Water Resources Agency information on the well to serve the project including a map showing the well location and any available well logs/e-logs. <b>(Water Resources Agency)</b>	Submit all applicable well information to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading or building permits	

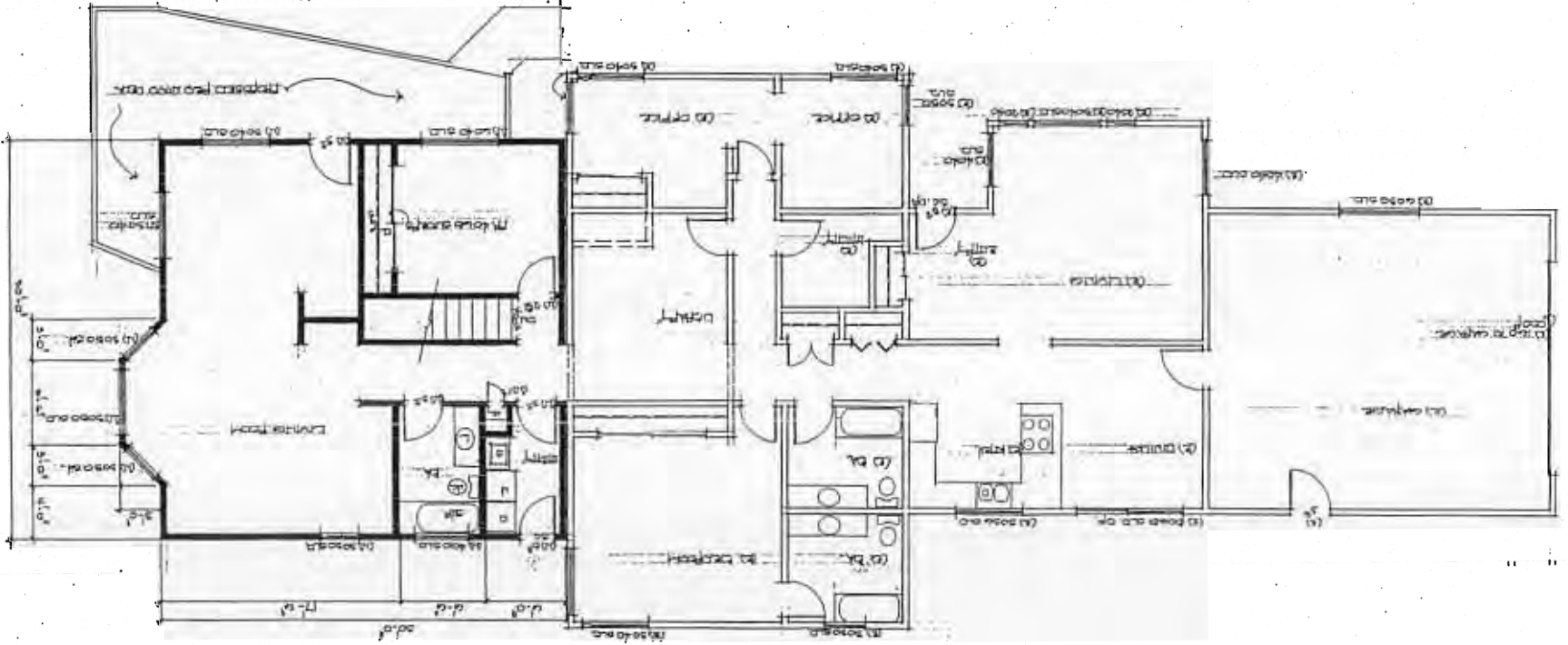
<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
5		<b>WR40 - WATER CONSERVATION MEASURES</b> 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. <b>(Water Resources Agency)</b>	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/occupancy	
6		<b>FIRE021 - FIRE PROTECTION EQUIPMENT &amp; SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD)</b> The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. <b>Responsible Land Use Department: (No. Co. Fire District).</b>	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	

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			Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner	Prior to framing inspection	
			Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	Prior to final building inspection	
7		<b>FIRE026 - ROOF CONSTRUCTION (STANDARD)</b> All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class B roof construction. Responsible Land Use Department: <b>(No. Co. Fire District).</b>	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
8		Submit a revised plot plan to the Division of Environmental Health showing the location of the existing septic system on the property. Due to the proposed driveway installation located above existing leach field, the applicant will be required to properly abandon the existing septic leach field as specified in Monterey County Code, Chapter 15.20. Provide new leach field design for review and approval by the Division of Environmental Health. A permit for the abandonment of the existing leach field and the system replacement shall be obtained from the Monterey County Health Department, Division of Environmental Health. <b>(Environmental Health)</b>	Environmental Health Division and/or property owner shall provide PBI written evidence of compliance.	Applicant/P roperty owner in concert with the Division of Environmental Health	Prior to issuance of building or grading permit(s).	









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