

JEFF MAIN  
ZONING ADMINISTRATOR

COUNTY OF MONTEREY  
STATE OF CALIFORNIA

RESOLUTION NO. 050676

A. P. # 141-014-007-000

In the matter of the application of  
**Luis & Leticia Chavez and Maria A. Briones (PLN050676)**

## **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, a clear a Code Enforcement case (CE010061) consisting of: (1) an Administrative Permit to replace a mobile home existing prior to Use Permit requirements with a 576 square foot mobile home, and (2) an Administrative Permit to deviate from the regulations for manufactured dwelling units installed on a permanent foundation. The property is located at 2950 San Juan Road, Aromas, North County Area Plan and came on regularly for meeting before the Zoning Administrator on December 14, 2006.

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

### **FINDINGS OF FACT**

**1. FINDING: CONSISTENCY** – The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, North County Area Plan, North County Planning Area Inventory and Analysis, and the Monterey County Zoning Ordinance (Title 21), which designates this area as appropriate for development.

**EVIDENCE:** (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

(b) The property is located at 2950 San Juan Road, Aromas (Assessor's Parcel Number 141-014-007-000), North County Area Plan. The parcel is zoned Rural Density Residential ("RDR/5.1"). The subject property, as conditioned, complies with all the rules and regulations pertaining to zoning uses and any other applicable provisions of Title 21, and is therefore suitable for the proposed development.

(c) The project planner conducted a site inspection on December 29, 2005 to verify that the project on the subject parcel conforms to the plans listed above.

(d) The subject property is legal non-conforming as to density and side setbacks. However, staff research revealed that the two single family dwellings appear to have been legally placed on the property. A condition has been added that requires the single-wide mobile home to be placed in a location where it will comply with current setback regulations (Condition No. 4).

(e) The project was not referred to the North County Non-Coastal Land Use Advisory Committee (LUAC) for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 04-236, this application did not warrant referral to the LUAC because the project does not involve slope restrictions, does not involve ridgeline/viewshed development, and is exempt from CEQA. Additionally, the project does not involve a Lot Line Adjustment or a variance.


(f) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN050676.

2. **FINDING: SITE SUITABILITY** – The site is physically suitable for the use proposed.  
**EVIDENCE:** (a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Aromas Fire Protection District, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.  
(b) Materials in Project File PLN050676.
3. **FINDING: CEQA (Exempt):** - The project is categorically exempt from environmental review.  
**EVIDENCE:** (a) California Environmental Quality Act (CEQA) Guidelines Section 15302, categorically exempts reconstruction of existing structures where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.  
(b) No adverse environmental effects were identified during staff review of the development application or during a site visit on December 29, 2005.  
(c) See preceding and following findings and supporting evidence.
4. **FINDING: NO VIOLATIONS** - The subject property, as conditioned, is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance.  
**EVIDENCE:** This Combined Development Permit is intended to correct the Code Violation CE010061 that exists on the subject property. Staff reviewed Monterey County RMA - Planning Department and Building Services Department Monterey County records and is aware of only Code Violation CE010061.
5. **FINDING: HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the 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 improvements in the neighborhood or to the general welfare of the County.  
**EVIDENCE:** Preceding findings and supporting evidence.
6. **FINDING: APPEALABILITY** - The decision on this project is appealable to the Planning Commission.  
**EVIDENCE:** Section 21.80.040.B 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 attached conditions.

**PASSED AND ADOPTED** this 14th day of December, 2006.

  
\_\_\_\_\_  
JEFF MAIN, ZONING ADMINISTRATOR

COPY OF THIS DECISION MAILED TO APPLICANT ON

JAN - 9 2007

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY TO THE MONTEREY COUNTY PLANNING COMMISSION ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE

JAN 19 2007

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.

**Monterey County Resource Management Agency  
Planning Department  
Condition Compliance and/or Mitigation Monitoring  
Reporting Plan**

**Project Name:** Chavez

**File No:** PLN050676

**Approved by:** Zoning Administrator

**APN:** 141-014-007-000

**Date:** December 14, 2006

*\*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.		<p><b>PD001 - SPECIFIC USES ONLY</b>            This Combined Development Permit (PLN050676), to clear Code Enforcement case (CE010061), consists: (1) an Administrative Permit to allow the replacement of a mobile home existing prior to Use Permit requirements (Section 21.64.060.C.1, Title 20 Monterey County Zoning Ordinance) with a 576 square foot mobile home, and (2) an Administrative Permit to allow a replacement mobile home older than ten years (Sections 21.64.040.D and C.1, Title 21 Monterey County Zoning Ordinance). The property is located at 2950 San Juan Road, Aromas (Assessor's Parcel Number 141-014-007-000), North County Area Plan. 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 the RMA - Planning Department. 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</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

<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>
		construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. <b>(RMA - Planning Department)</b>				
2.		<b>PD002 - NOTICE-PERMIT APPROVAL</b> The applicant shall record a notice which states: "A permit ( <b>Resolution No. 050676</b> ) was approved by the Zoning Administrator for Assessor's Parcel Number 141-014-007-000 on <b>December 14, 2006</b> . The permit was granted subject to 13 conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. <b>(RMA - Planning Department)</b>	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits or commencement of use.	
3.		<b>PD – NON-STANDARD CONDITION (1)</b> The 16 foot by 8 foot attached storage structure must be removed from the property prior to final inspection. A demolition/building permit is required to remove the attached storage structure. The applicant or owner shall apply and receive the appropriate demolition permit from the Monterey County RMA – Building Services Department. <b>(RMA - Planning Department)</b>	Apply and receive the appropriate demolition/building permit from Monterey County RMA – Building Services Department.  Remove the 16 foot by 8 foot storage structure attached to the single-wide mobile home.	Owner/ Applicant/ Engineer  Owner/Applicant	Prior to the issuance of grading or building permits  Prior to final inspection	
4.		<b>PD – NON-STANDARD CONDITION (2)</b> The single-wide mobile home shall be located so that it	Site plans for building and grading permit applications shall reflect that the	Applicant/ Owner	At the time of	

<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>
		meets all setback regulations in Section 21.16.060.C.1, Monterey County Zoning Ordinance Title 21. The mobile home shall be moved approximately six feet northeast to meet setback regulations. If applicable, the applicant or owner shall obtain a retaining wall permit from the Monterey County RMA – Building Services Division. The applicant or owner shall reflect compliance with all setbacks of Section 21.16.060.C.1 in the site plans submitted at the time of application for building and grading permits. <b>(RMA - Planning Department)</b>	single-wide mobile complies with all setback regulations in Section 21.16.060.C.1, Monterey County Zoning Ordinance Title 21.		application for building and/or grading	
			If applicable, the applicant or owner shall obtain a retaining wall permit from the Monterey County RMA – Building Services Division.	Applicant/ Owner	Prior to issuance of grading and/or building permit.	
			The single-wide mobile home shall be located so that it meets all setback regulations in Section 21.16.060.C.1, Monterey County Zoning Ordinance Title 21.	Applicant/ Owner	Prior to final inspection	
5.		<b>FIRE001 - ROAD ACCESS</b> Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. All roads shall be constructed to provide a minimum of two nine-foot traffic lanes with an unobstructed vertical clearance of not less than 15 feet. The roadway surface shall provide unobstructed access to conventional drive vehicles including sedans and fire apparatus and shall be an all-weather surface designed to support the imposed load of fire apparatus (22 tons). Each road shall have an approved name. <b>(Aromas Fire Protection District)</b>	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
6.		<b>FIRE007 - DRIVEWAYS</b> Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of grading and/or	

<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>
		not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For 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 curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. 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. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. <b>(Aromas Fire Protection District)</b>	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	building permit.  Prior to final building inspection.	
7.		<b>FIRE011 - ADDRESSES FOR BUILDINGS</b> All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	

<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>
		<p>occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. <b>(Aromas Fire Protection District)</b></p>	<p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p>	<p>Prior to final building inspection</p>	
8.		<p><b>FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)</b>  Remove combustible vegetation from within a minimum of 100 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p>	
			<p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p>	<p>Prior to final building</p>	

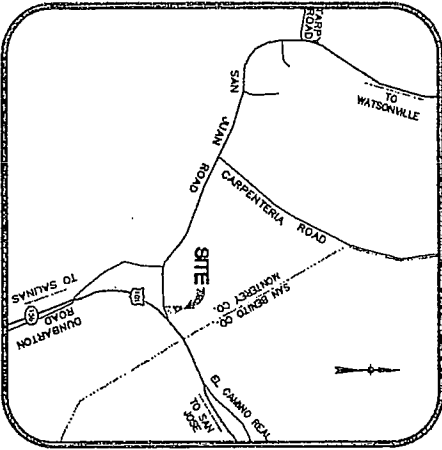


<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		be determined by Reviewing Authority and the Director of Planning and Building Inspection. <b>(Aromas Fire Protection District)</b>			inspection	
9.		<b>FIRE020 - DEFENSIBLE SPACE REQUIREMENTS (HAZARDOUS CONDITIONS)</b> Remove combustible vegetation from within a minimum of 100 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional fire protection or firebreaks approved by the Reviewing Authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. <b>(Aromas Fire Protection District)</b>	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
10.		<b>FIRE025 - SMOKE ALARMS – (SINGLE FAMILY DWELLING)</b> Where a household fire warning system or combination fire/burglar alarm system is installed in lieu of single-station smoke alarms required by the Uniform Building Code the alarm panel shall be required to be placarded as permanent building equipment. <b>(Aromas Fire Protection District)</b>	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall schedule fire alarm system acceptance test.	Applicant or owner	Prior to final building inspection	
11.		<b>FIRE027 - ROOF CONSTRUCTION - (VERY HIGH HAZARD SEVERITY ZONE)</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 A roof construction. <b>(Aromas Fire Protection District)</b>	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	

<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>
12.		<p><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:</p> <p>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.</p> <p>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></p>	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/occupancy	
13.		<p><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></p>	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	

END OF CONDITIONS





VICINITY MAP  
SCALE 1" = 2000'

LANDS OF  
PHYLLIS LA SORELLA TRUST  
2001-096070



- LEGEND**
- SUBJECT PROPERTY BOUNDARY LINE
  - ADJACENT PROPERTY BOUNDARY LINE
  - EASE OR RIGHT-OF-WAY
  - BUILDING LINE
  - FOUND MONUMENT AS INDICATED
  - ASPHALT CONCRETE
  - ASPHALT PAVER
  - TOP OF BANK
  - TOP OF DIRT
  - TOP OF GRADE
  - SHOT GRADE
- NOTES**
1. DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
  2. CONTOUR INTERVAL EQUALS TWO FEET
  3. NO GRADING PROPOSED
  4. NO LANDSCAPING PROPOSED

**LOT COVERAGE**

AREA	AREA
PARCEL 1	= 41,488 S.F.
MOBILE HOME #1	= 1,750 S.F.
MOBILE HOME #2	= 1,750 S.F.
MOBILE HOME #1 + #2	= 2,500 S.F.
2,318 S.F.	= 6,114%
41,988 S.F.	

SITE MAP FOR  
**LUIS AND LETICIA CHAVEZ**

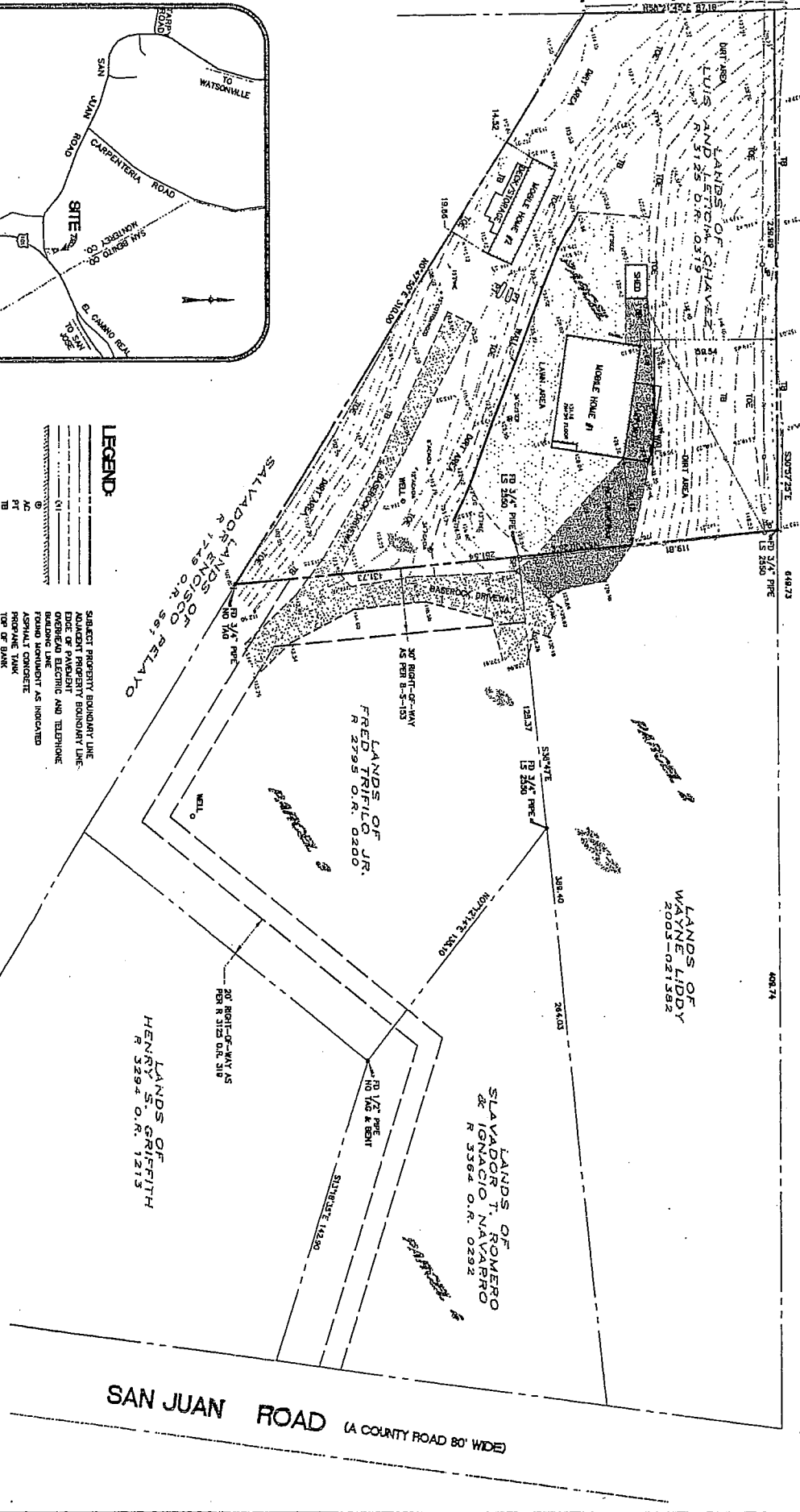
APR 141-014-007

**MID COAST ENGINEERS**  
CIVIL ENGINEERS AND LAND SURVEYORS  
70 PENNY OAK DRIVE, WATSONVILLE, CA 95076  
(707) 725-2500

29350 SAN JUAN ROAD, ARROWHEAD, CALIFORNIA

DATE: MAY 16, 2000  
DRAWN: 04/21

SCALE: 1" = 30'



**SAN JUAN ROAD** (A COUNTY ROAD 80' WIDE)