

MIKE NOVO
ZONING ADMINISTRATOR

STATE OF CALIFORNIA
COUNTY OF MONTEREY

RESOLUTION NO. 050698

A.P.# 117-271-004-000

In the matter of the application of
Miguel & Irene Ramos (PLN050698)

FINDINGS & DECISION

for a Use Permit in accordance with Title 21 (Zoning) Chapter 21.74 (Use Permits) of the Monterey County Code, for the replacement and legalization of a 672 sq. ft. non-conforming mobile home with a new 784 sq. ft. manufactured home, a new detached 171 sq. ft. carport and new detached 378 sq. ft. carport. The property is located at 538 Salinas Rd, Watsonville, North County Area Plan and came on regularly for hearing before the Zoning Administrator on May 25, 2006.

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

FINDINGS OF FACT

1. FINDING: CONSISTENCY AND SITE SUITABILITY: The Ramos Use Permit (PLN050698), as described in Condition No. 1, and as conditioned, is consistent with the policies, requirements, and standards of the Monterey County General Plan, North County Area Plan and conforms to the Monterey County Zoning Ordinance (Title 21). The property is located at 538 Salinas Rd, Watsonville (Assessor's Parcel Number 117-271-004-000). The site is suitable for the proposed use. The parcel is zoned "LC" (Light Commercial Zoning District). The subject property is in compliance with all rules and regulations pertaining to zoning uses and any other applicable provisions of Title 21, and are therefore suitable for the proposed development.

EVIDENCE: (a) The parcel is zoned LC (Light Commercial) and currently has no commercial operation, but holds a legal non-conforming residential status since it has an existing 1,016 sq. ft. duplex and a 672 sq. ft. mobile home.

(b) Assessor's records and other documentation determined that the units were situated before the subsequent adoption of the current land use regulations, therefore non-conforming.

(c) The project is consistent with the regulations of Title 21, Section 21.68 *Legal Nonconforming Uses*. Per Section 21.68.050 *Damaged or Destroyed Legal Nonconforming structures*, a legal non-conforming structure that has been damaged by an act of God, may be rebuilt to a total floor area and volume not to exceed that of the structure destroyed subject to obtaining a Use Permit. Evidence that this mobile home unit is a legal non-conforming use has been established through documentation, i.e. Assessor's records and ZA05070.

(d) Per Section 21.68.030 *Legal Nonconforming Structure Use, C.* "a structure maintaining a legal residential nonconforming use may be increased for the expansion of the use by one hundred twenty square feet, or 10% of the floor area, whichever is greater". The applicants request to increase the size of their proposed manufactured home by 112 sq. ft. of the current mobile home size which complies with Section 21.68.030 C.

(e) The subject property requires a total number of 3 covered parking spaces for the number of residential units on the property per Section 21.58.040, *Parking Spaces Required*. The project proposes the construction of the required number of covered parking spaces: a detached 171 sq. ft. carport for the manufactured home and a detached 378 sq. ft. carport for the existing duplex.

(f) Archaeological Policy Compliance Waiver was granted to this application on February 17, 2006 based on field review by Lynne Mounday, Staff Archaeologist.

(g) The following agencies have reviewed the project: the Monterey County Planning and Building Inspection Department, Water Resources Agency, Monterey County Public Works Department, the Monterey County Division of Environmental Health, North County Fire, and the Monterey County Housing and Redevelopment Agency. There has been no indication from these agencies that the site is not suitable. Based on the project description, materials in the file, the planner's site visit, preceding evidence, and comments by the above agencies, 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 project.

(h) The text, policies, and regulations in the above documents have been evaluated during the course of the review of the applications. No conflicts were found to exist. No communications were received during the course of review of the project to indicate that there is any inconsistency with the text, policies, and regulations in these documents.

(i) The project planner conducted a site visit to verify that the proposed project complies with the North County Area Plan and the Zoning Ordinance.

2. FINDING: CEQA (Exempt) – The proposed project will not have a significant environmental impact.

EVIDENCE: (a) Section 15302 Class 2, *Replacement or Reconstruction* of the CEQA Guidelines categorically exempts the proposed development from environmental review.

(b) No adverse environmental impacts were identified during staff review of the project application.

(c) There are no unusual circumstances, pursuant to CEQA Guidelines Section 15300.2, related to the project or property.

3. FINDING: EXISTING VIOLATIONS – The property has an existing violation that will be rectified with the approval of this project in order to bring the property into compliance pursuant to Title 21 Section 21.84.

EVIDENCE: (a) Staff verification of the Monterey County Planning and Building Inspection Department records indicate that 1 violation exists on the subject property (CE199501417). The violation entails replacing a legal non-conforming mobile home without the benefit of a Use Permit and necessary building permits. The approval of this permit will rectify the Use Permit requirement portion of the violation.

(b) Section 21.30.030(B) of the Monterey County Zoning Ordinance.

- 4. FINDING: HEALTH & SAFETY** - 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: APPEALABILITY** - The decision on this project is appealable to the Planning Commission.

EVIDENCE: Section 21.80.040(B) of the Monterey County Zoning Ordinance (Title 21).

DECISION

THEREFORE, it is the decision of said Zoning Administrator 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 25th day of May, 2006.



MIKE NOVO, ZONING ADMINISTRATOR

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON JUN - 6 2006

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 JUN 16 2006

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

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.

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

Project Name: Ramos

File No: PLN050698

Approval by: Zoning Administrator

APN: 117-271-004-000

Date: May 25, 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.		PBD029 - SPECIFIC USES ONLY This is a Use Permit for the replacement and legalization of a 672 sq. ft. non-conforming mobile home with a new 784 sq. ft. manufactured home, a new detached 171 sq. ft. carport and new detached 378 sq. ft. carport. The property is located at 538 Salinas Rd., Watsonville (Assessor's Parcel Number 117-271-004-000). 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. (Planning and Building Inspection)	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless other- wise 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>
2.		PBD025 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution 050698) was approved by the Zoning Administrator for Assessor's Parcel Number 117-271-004-000 on May 25, 2006. The permit was granted subject to 12 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)	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.		PBD030 - STOP WORK - RESOURCES FOUND 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. (Planning and Building Inspection)	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.		PBD018(A) - LANDSCAPE PLAN AND MAINTENANCE (SINGLE FAMILY DWELLING ONLY) The site shall be landscaped. At least 60 days prior to occupancy, three (3) copies of a landscaping plan shall be submitted to the Director of Planning and Building	Submit landscape plans and contractor's estimate to PBI for review and approval.	Owner/ Applicant/ Contractor	At least 60 days prior to final inspection or	

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		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, species, 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. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (Planning and Building Inspection)			occu- pancy	
			All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.	Owner/ Applicant	Ongoing	
5.		PW0010 – SEWER CONNECTION If required, obtain a sewer connection permit from the Department of Public Works and pay all applicable fees. (Public Works)	Applicant shall apply for permit with Department of Public Works, obtain the permit, and pay applicable fees.	Owner/ Applicant	Prior to Building / Grading Permits Issuance	

<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>
6.		ZONE A1-A30 ELEVATION REQUIREMENTS The lowest floor and attendant utilities shall be constructed at least 26.4 feet above mean sea level (NGVD 1929). The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed land surveyor that a reference marker has been established at the building site to provide for the floodproofing and certification of the lowest floor elevation. (Water Resources Agency)	Submit a letter to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading or building permits	WRA
7.		WR16 - ELEVATION CERTIFICATE The applicant shall provide the Water Resources Agency a FEMA Elevation Certificate, based on finished construction, completed by a registered civil engineer or licensed surveyor certifying the structure has been constructed in accordance with Chapter 16.16 of the Monterey County Code. (WRA)	Submit a completed FEMA Elevation Certificate, based on finished construction, and completed by the engineer or surveyor, to the Water Resources Agency for review and approval.	Owner/ Applicant/ Engineer/ Surveyor	Prior to final inspection	
8.		WR40 - WATER CONSERVATION MEASURES 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)	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/occupancy	

<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>
9.		WR21 - FOUNDATION PLAN – ENCLOSURES/GRADE ELEVATIONS All fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area shall be provided. The bottom of all openings shall be no higher than one foot above grade. The applicant shall provide the Water Resources Agency a foundation plan prepared by a registered civil engineer showing the internal and external grade elevation, as well as, the location and dimensions of all vents. (Water Resources Agency)	Submit the engineered foundation plan to the Water Resources Agency for review and approval.	Owner/ Applicant/ Engineer	Prior to issuance of any grading or building permits	
10.		WR22 - FLOODPLAIN RECORDATION The owner shall provide the Water Resources Agency a recorded Floodplain Notice stating: "The property is located within or partially within a floodplain and may be subject to building and/or land use restrictions." (Water Resources Agency)	Submit the recorded floodplain notice to the Water Resources Agency for review and approval. (A copy of the County's standard notice can be obtained at the Water Resources Agency.)	Owner/ Applicant	Prior to issuance of any grading or building permits	
11.		WR15 - STEMWALL INSPECTION The applicant shall provide the Water Resources Agency a FEMA Elevation Certificate completed by a registered civil engineer or licensed surveyor certifying the lowest floor elevation, venting, external grades and internal grades are compliant with Chapter 16.16 of the Monterey County Code. (Water Resources Agency)	Submit a completed FEMA Elevation Certificate, based on building under construction, and completed by the engineer or surveyor, to the Water Resources Agency for review and approval.	Owner/ Applicant/ Engineer/ Surveyor	Prior to the stemwall inspection	
12.		FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD) 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	Applicant shall enumerate as "Fire Dept. Notes" on plans.	<i>Applicant or owner</i>	Prior to issuance of building permit.	

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		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. (North County Fire District.)				
			Applicant shall schedule fire dept. rough sprinkler inspection	<i>Applicant or owner</i>	Prior to framing inspection	
			Applicant shall schedule fire dept. final sprinkler inspection	<i>Applicant or owner</i>	Prior to final building inspection	

NORTH COUNTY

Exhibit C
Page 1 of 1 Pages

SANTA CRUZ COUNTY

PAJARO

SAN JUAN RD

Pajaro River

RAILROAD AVE

LEWIS RD

PROJECT SITE

TRAFTON RD

SALINAS RD

GARIN RD

Warner Lake

SALINAS RD

APPLICANT: RAMOS

APN: 117-271-004-000

FILE # PLN050698



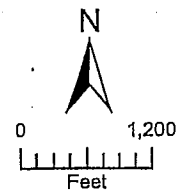
300' Limit



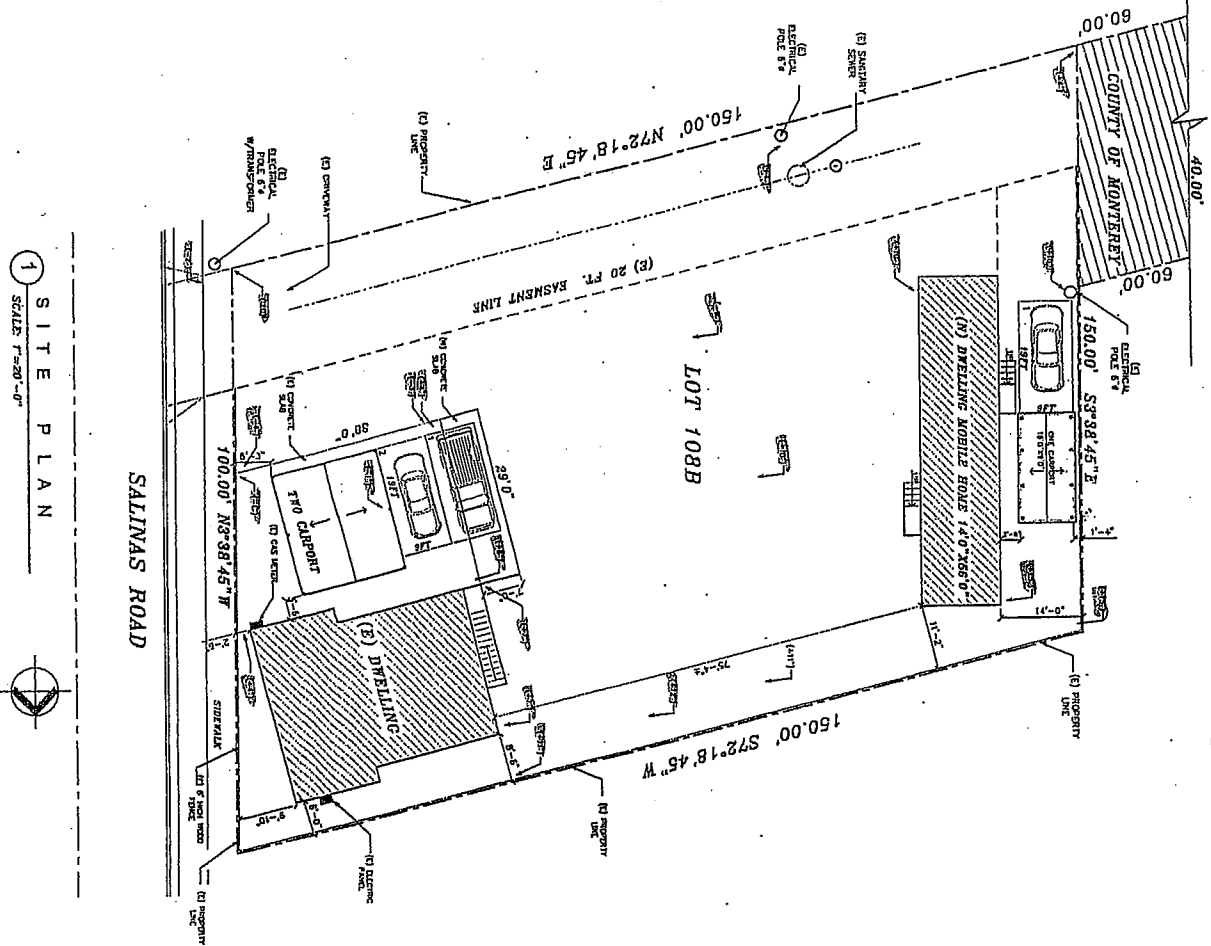
2500' Limit



City Limits



PLANNER: AMADOR

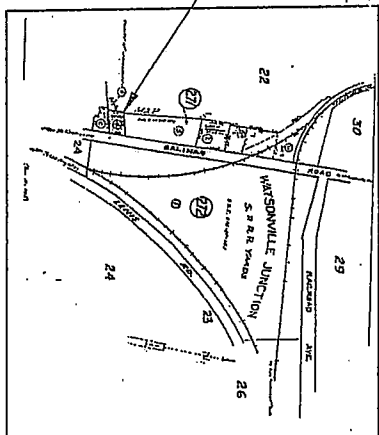
Page 1 of 2 Pages

1 SITE PLAN
SCALE: 1"=20'-0"

SCALE: 1"=20'-0"



2 VICINITY MAP
N.T.S.



SCOPE OF WORK:

1. REMOVE (E) MOBILE HOME (120'256'0")
2. PLACE NEW MOBILE HOME (120'256'0") w/ ONE CARPORT (90'018'0"), ONE OPEN PARKING SPACE
3. ADD TWO CARPORT AT THE (E) DWELLING UNIT AND TWO OPEN PARKING SPACES.

PROJECT DATA

OWNER INFO.

MR. & MRS. RAYOS
1012 AVESTI RD.
MAYSONVILLE, CA 9507
TEL. (931) 724-0446

PROJECT ADDRESS

WATSONVILLE CA 9507

LEGAL INFORMATION

APR. 117-271-004-000
LOT STATE 0.33 ACRES

CONSTRUCTION TYPE: Y-H

LOT INFORMATION

(5) DUELING UNIT
1.018 S.F.(APPROX.)

(H) TWO CASPORT (16'0" X 21'0") 578 S.F.

BUILDING AREA 2348 S.F. (STRUCTURE) - 10.14±

10.14%
LOT COVERAGE

APPLICABLE CODES:

CRC 2001
 CHC 2001
 NEC 2001

REF ID: A63471

PROJECT ADDRESS:

MR. AND MRS. RAMOS RESIDENCE
538 SALINAS RD.
WATSONVILLE, CA 95076

A.P.N. 117-271-004-000

SITE PLAN VICINITY MAP AND GENERAL INFORMATION

STRUCTURAL ENGINEER

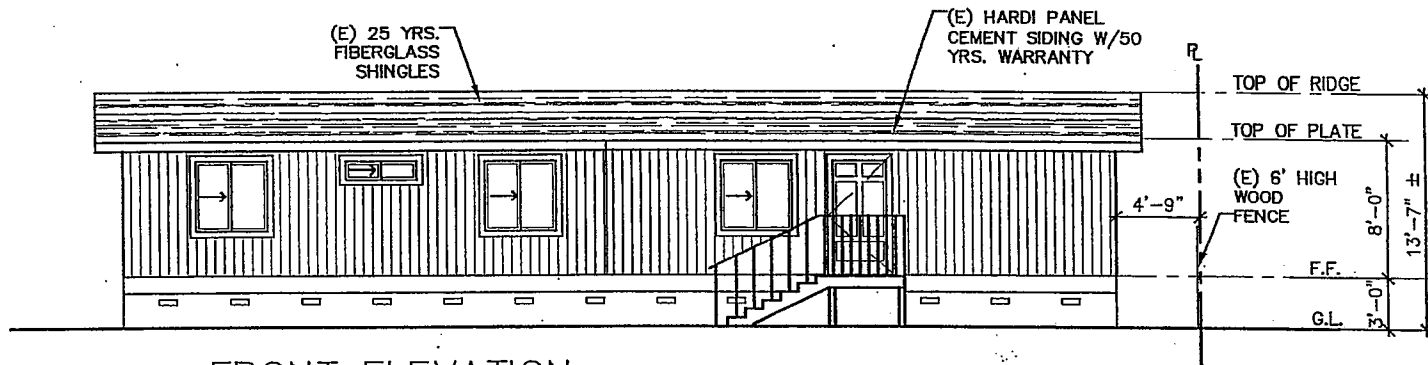
DR BY:

SCALE: AS SHOWN

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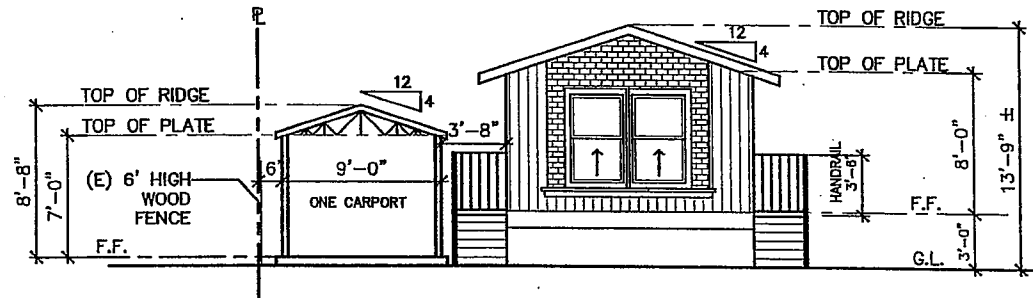
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1 SHEET OF 2

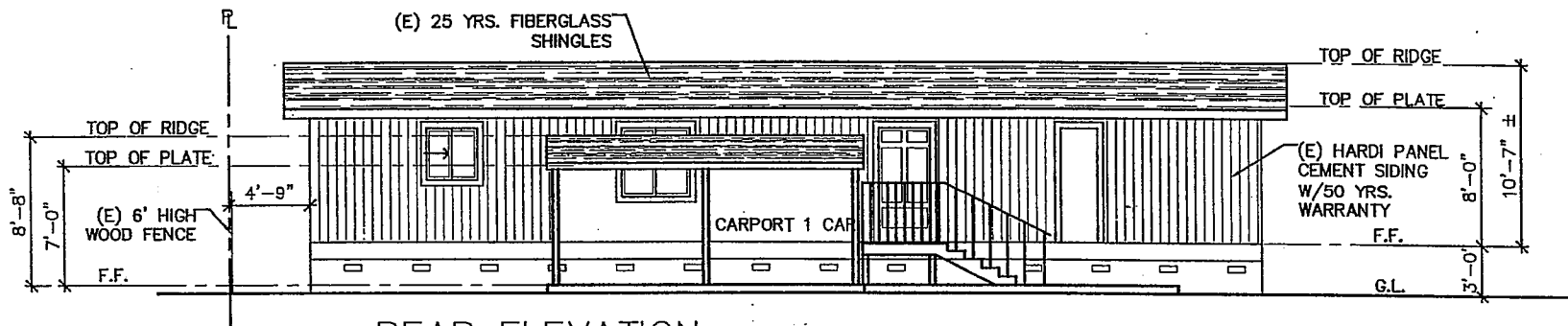


2 FRONT ELEVATION
SCALE 1/8" = 1'-0"

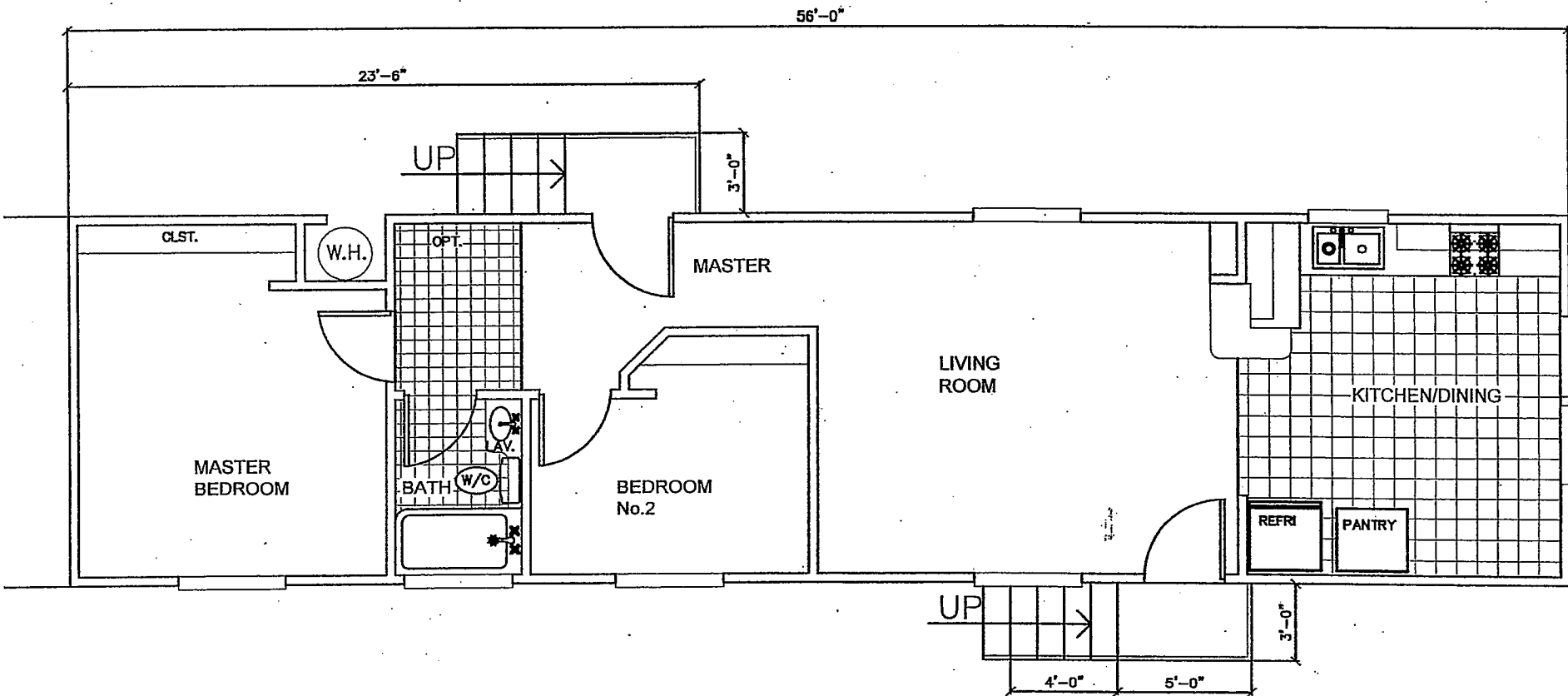
Exhibit D
Page 2 of 3 Pages



3 LEFT SIDE ELEVATION
SCALE 1/8" = 1'-0"



5 REAR ELEVATION
SCALE 1/8" = 1'-0"



① FLOOR PLAN MOBILE HOME (14'0"X56'0")
SCALE 1/4" = 1'-0"