

In the matter of the application of
Paul and Becky Brownfield (PLN070093)

FINDINGS & DECISION

for a **Use Permit** in accordance with Title 21 (Zoning) Chapter 21.74 (Use Permits) of the Monterey County Code, to exceed the height limit and legalize the conversion of a barn into a 480 square foot detached guesthouse, pursuant to Section 21.64.020.C.11 of the Monterey County Zoning Ordinance. The property is located at 6032 Trigo Lane, Salinas, North County Non-Coastal Zone, North County Area Plan, and came on regularly for hearing before the Zoning Administrator on September 13, 2007.

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 Area Plan 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 6048 Trigo Lane, Salinas (Assessor's Parcel Number 127-081-018-000), North County Area Plan. The parcel is zoned Resource Conservation with a B-8 overlay or ("RC/B-8"). The subject property 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 June 21st, 2007 to verify that the project on the subject parcel conforms to the plans listed above.
 - (d) The Wood Subdivision Planning File No. MS-73220 allowed the division of a 5.706 acre parcel (Assessor's Parcel Number 127-081-003) into four parcels. The subject parcel is one of the four parcels created.
 - (e) The project complies with the regulations for a Guesthouse in accordance with the Monterey County Zoning Ordinance (Title 21) Section 21.64.020.C. A condition has been incorporated requiring the applicant to record a Guesthouse deed restriction.
 - (f) The Monterey County Zoning Ordinance, Section 21.64.020.D states, "Any guesthouse proposal which does not comply with the provisions of this Section shall require a Use Permit. If the modification to the provisions of this Section are for other than the height of the guesthouse pursuant to Section 21.64.020(C)(11), a Variance shall also be required. The Zoning Administrator shall be the Appropriate Authority to consider said permits." The Monterey County Zoning Ordinance, Section 21.64.020(C)(11) states, "The guesthouse height shall not exceed 15 feet nor be more than one story. Additions to height and placement of guesthouses over a one-story structure, such as a garage, may be considered by Use Permit (ZA) when intended to provide for architectural consistency

and compatibility with the main residence.” The exception to the 15 foot height requirement can be made in this case because the additional height allowance provides for architectural compatibility with the main residence and furthermore provides for architectural consistency and compatibility with the rural character of the neighborhood. Several properties in the immediate vicinity of the Brownfield property are comprised of one-story single family dwellings with detached two-story accessory units, in many cases these accessory units are barns.

- (g) The project was not referred to the North County 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 is exempt from CEQA per Section 15303.
- (h) 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 PLN070093.

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, North County 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) Staff conducted a site inspection on June 21st, 2007 to verify that the site is suitable for this use.
 - (c) Materials in Project File PLN070093.

3. **FINDING: CEQA (Exempt):** - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

- EVIDENCE:**
- (a) California Environmental Quality Act (CEQA) Guidelines Section 15303 categorically exempts the construction of small accessory structures.
 - (b) No adverse environmental effects were identified during staff review of the development application during a site visit on June 21st, 2007.
 - (c) See preceding and following findings and supporting evidence.

4. **FINDING: VIOLATIONS** – A Code Enforcement Case (CE060340) is open on the subject property for the conversion of the second story of a 1,120 square foot barn into a dwelling unit without permits.

- EVIDENCE:**
- (a) The approval of this Use Permit will clear the property of the existing violation (CE060340).
 - (b) Staff has reviewed Monterey County Resource Management Agency – Planning Department’s records and is not aware of any other violations existing on the property.

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:** (a) 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 of the Monterey County Zoning Ordinance (Title 21) states, "The Planning Commission is the Appeal Authority to consider appeals from the discretionary decisions of the Zoning Administrator made pursuant to this Title. The decision of the Planning Commission shall be final and may not be appealed, except as provided for in Section 21.80.040 C."

DECISION

THEREFORE, it is the decision of the 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 13th day of September, 2007.



JEFF MAIN, ZONING ADMINISTRATOR

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON SEP 26 2007

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 OCT - 6 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 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 Resource Management Agency
Planning Department**

**Condition Compliance and/or Mitigation Monitoring
Reporting Plan**

Project Name: Brownfield

File No: PLN070093

APNs: 127-081-018-000

Approved by: Zoning Administrator

Date: September 13, 2007

**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>PD001 - SPECIFIC USES ONLY This Use permit (PLN0700093) legalizes the conversion of the second story of a 1,120 square foot barn into a 480 square foot Guesthouse. The property is located at 6032 Trigo Lane, Salinas (Assessor's Parcel Number 127-081-018-000), 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 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</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

		fulfilled. (RMA - Planning Department)			
2.		<p>PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution 070093) was approved by the (Zoning Administrator) for Assessor's Parcel Number 127-081-018-000 on September 13, 2007. The permit was granted subject to 11 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. (RMA - Planning Department)</p>	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.		<p>PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. 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 lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. (RMA – Planning Department)</p>	Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.	Owner/ Applicant	Prior to the issuance of building permits.
			The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Prior to Occupancy/ Ongoing
4.		<p>PD019(A) – DEED RESTRICTION – GUESTHOUSE (INLAND) The applicant shall record a deed restriction stating the regulations applicable to a Guesthouse as follows:</p>	Submit signed and notarized document to the Director of RMA – Planning Department for review and signature by the County.	Owner/ Applicant	Prior to the issuance of grading or building permits

	<ul style="list-style-type: none"> • Only one guesthouse shall be allowed per lot. • Detached guesthouses shall be located in close proximity to the principal residence. • Guesthouses shall share the same utilities with the main residence, unless prohibited by public health requirements. • The guesthouse shall not have cooking or kitchen facilities, including but not limited to microwave ovens, hot plates and toaster ovens. • The guesthouse shall have a maximum of six (6) linear feet of counter space, excluding counter space in a bathroom. There shall be a maximum of eight (8) square feet of cabinet space, excluding clothes closets. • The guesthouse shall not exceed 600 square feet of livable floor area. • The guesthouse shall not be separately rented, let or leased from the main residence whether compensation be direct or indirect. • Subsequent subdivisions which divide a main residence from a guesthouse shall be prohibited. <p>(RMA – Planning Department)</p>				
5.	<p>PD000 - NON-STANDARD – BUILDING PERMITS REQUIRED</p> <p>The Applicant/Owner must apply for and obtain “as-built” building permits from the Monterey County Resource Management Agency – Building Department to rectify Code Enforcement Case number CE060340.</p> <p>(RMA – Planning Department)</p>	Applicant/Owner must apply for and obtain “as-built” building permits to rectify Code Enforcement Case number CE060340.	Owner	Concurrent with/ Prior to the Code Enforcement Division clearing CE060340.	
6.	<p>PD000 – NON-STANDARD – CODE ENFORCEMENT</p> <p>The Applicant/Owner must contact Mr. Robert Cole, Code Enforcement Officer with the Monterey County Resource Management Agency – Building Department – Code Enforcement Division at (831) 755-5422 or coler@co.monterey.ca.us to resolve</p>	Applicant/Owner must resolve any outstanding issues related to CE060390.	Owner	Prior to issuance of any permits and the closure of CE060390.	

		and resolve any/all outstanding issues pertaining to CE060390. (RMA – Planning Department)				
7.		FIRE007 - DRIVEWAYS 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 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	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.	

	<p>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.</p> <p>(North County Fire Protection District)</p>	<p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p>	<p>Prior to final building inspection.</p>	
8.	<p>FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD) Remove combustible vegetation from within a minimum of 30 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 be determined by Reviewing Authority and the Director of Planning and Building Inspection.</p> <p>(North County Fire Protection District)</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 inspection</p>	

9.	<p>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 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 Protection District)</p>	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.
		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
10.	<p>FIRE026 - ROOF CONSTRUCTION (STANDARD) 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. (North County Fire Protection District)</p>	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.
11.	<p>FIRE000 - NON STANDARD - DRIVEWAY ACCESS A separate driveway must be constructed to access the Guesthouse from Trigo Lane. All permits (if any) required must be obtained prior to commencement of construction of the driveway. (North County Fire Protection District)</p>	Owner shall construct a separate access driveway from Trigo Lane to the Guesthouse.	Owner	Prior to final inspection.

END OF CONDITIONS

NOTES

- 1. Project shall conform to requirements of...
- 2. All dimensions shall be in feet and inches...
- 3. All work shall be in accordance with...
- 4. The contractor shall be responsible for...
- 5. The contractor shall provide all materials...
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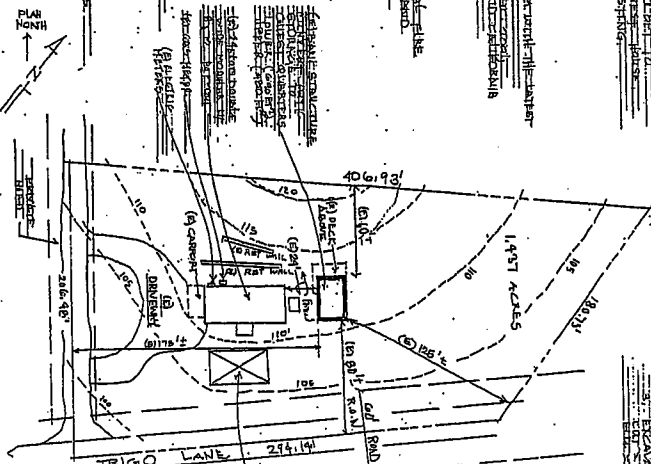
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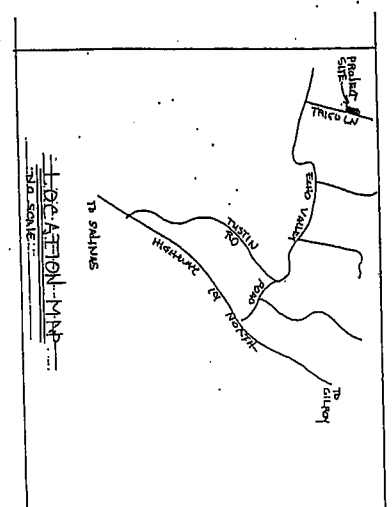
- 11. FOUNDATION
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- 27. HISTORY
- 28. CULTURE
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- 30. POLITICS

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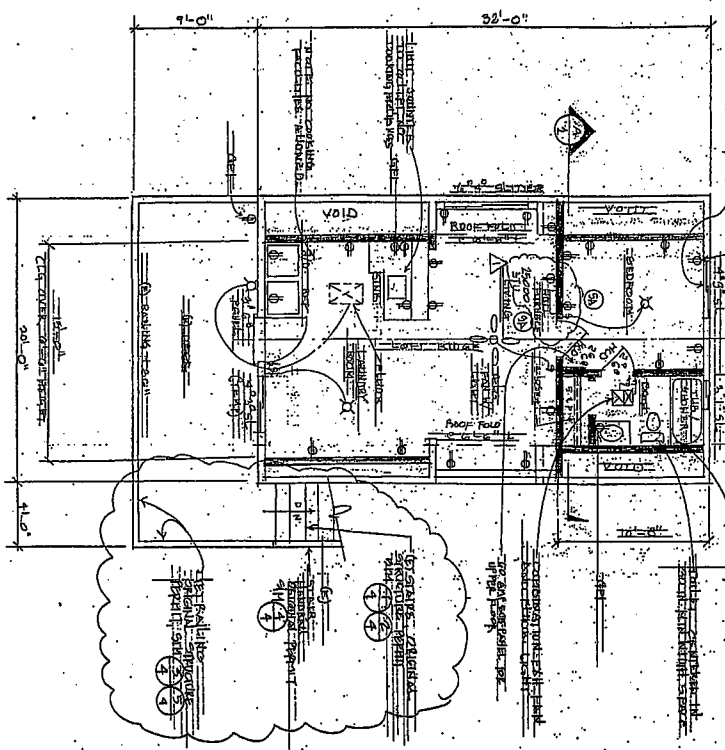


PLAT PLAN

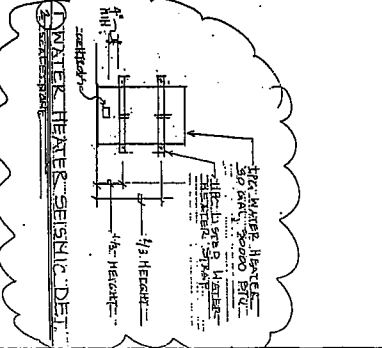
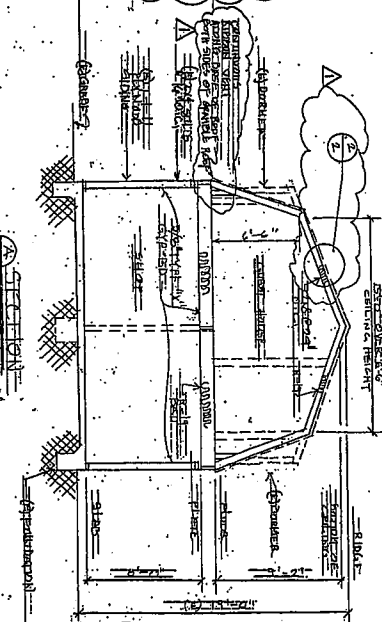
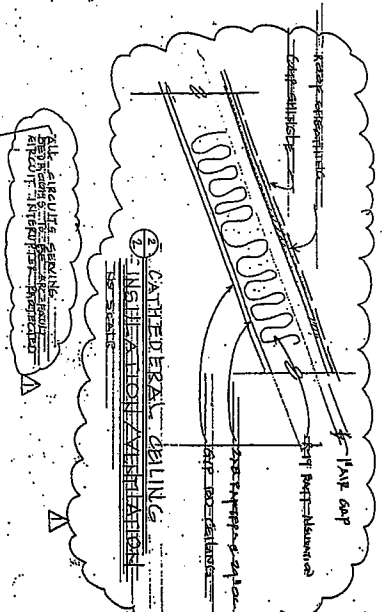
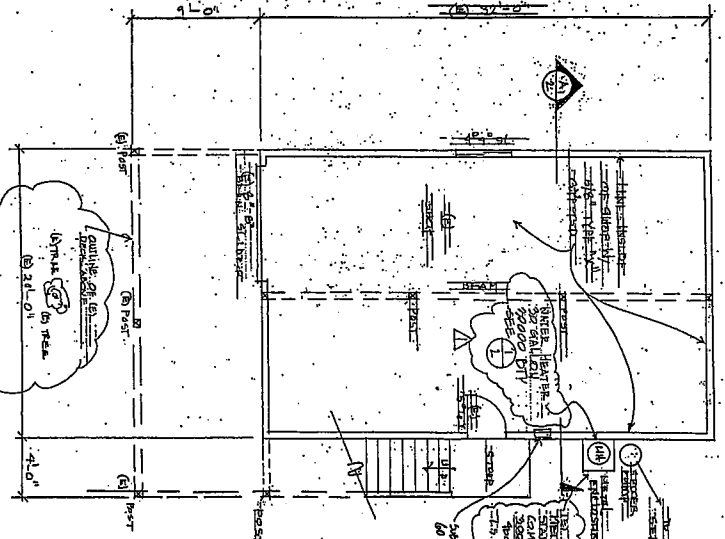


08/23/88
2:40 PM
K.M.

UPPER FLOOR PLAN
SCALE: 1/8" = 1'-0"

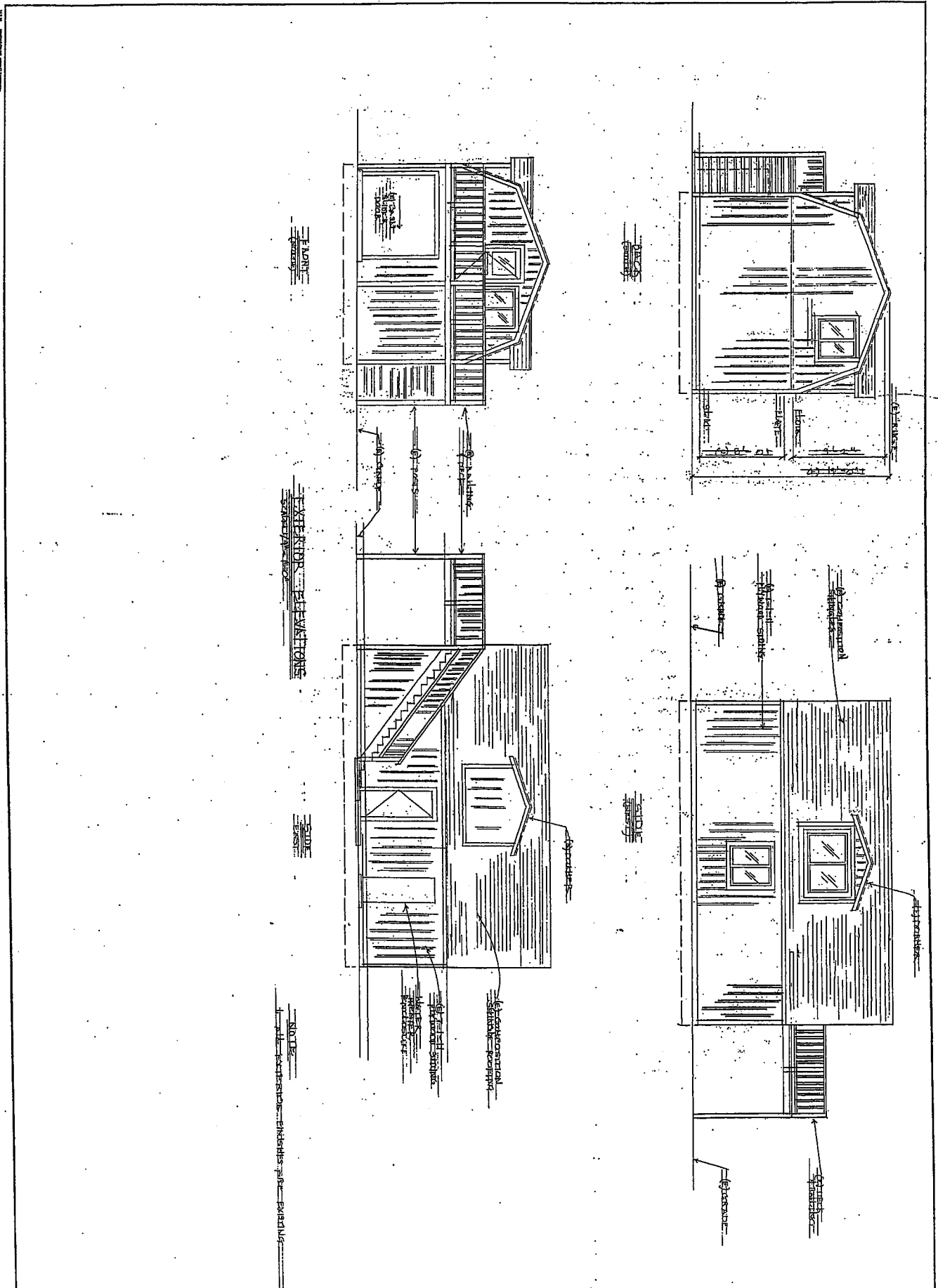


LOWER FLOOR PLAN
SCALE: 1/8" = 1'-0"



LIGHT & VENTILATION
 LIGHTING: 1/2" GYPSUM BOARD, 1/2" INSULATION, 1/2" GYPSUM BOARD
 VENTILATION: 1/2" GYPSUM BOARD, 1/2" INSULATION, 1/2" GYPSUM BOARD
 SEISMIC: 1/2" GYPSUM BOARD, 1/2" INSULATION, 1/2" GYPSUM BOARD
 FINISH: 1/2" GYPSUM BOARD, 1/2" INSULATION, 1/2" GYPSUM BOARD

<p>UPPER AND LOWER FLOOR PLANS AND SECTIONS</p> <p>MR. & MRS. PAUL BROWNFIELD</p> <p>6032 TRIGO LANE</p> <p>PRUNEDALE</p>	<p>TULLIS DESIGN & DRAFTING</p> <p>1206 SAN MIGUEL CANYON ROAD</p> <p>ROYAL OAKS, CALIFORNIA 95076</p> <p>(831) 763-9232</p>
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TULLIS DESIGN & DRAFTING 1206 SAN MIGUEL CANYON ROAD ROYAL OAKS, CALIFORNIA 95076 (831) 763-9232	CONVERT BARN STORAGE TO GUEST HOUSE MR. & MRS. PAUL PROHNHEER 6032 TRIGO LANE PRUNE DALE, CALIF.	APR 1977	18
	EXTERIOR ELEVATIONS	1/8" = 1'-0"	SHEET NO.

REVISIONS BY

DATE

TULLIS DESIGN & DRAFTING
1208 SAN MIGUEL CANYON ROAD
ROYAL OAKS, CALIFORNIA 95076
(831) 763-8232

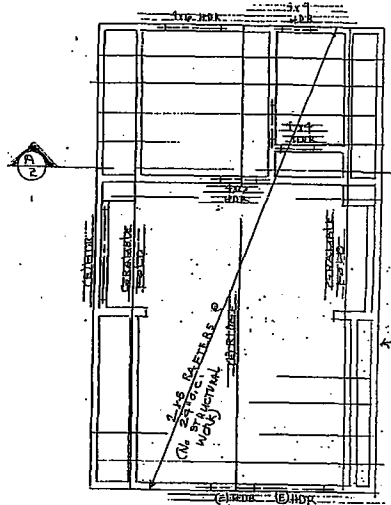
PROJECT: STAIRS TO GRIDS - PHASE 1
MR. & MRS. PAUL BRESNAHAN
2357 PRINCE OF WALES DRIVE
PRINCE DALE, CALIFORNIA

FOUNDATION & FLOOR
FRAMING & ROOF FRAMING
PLANS

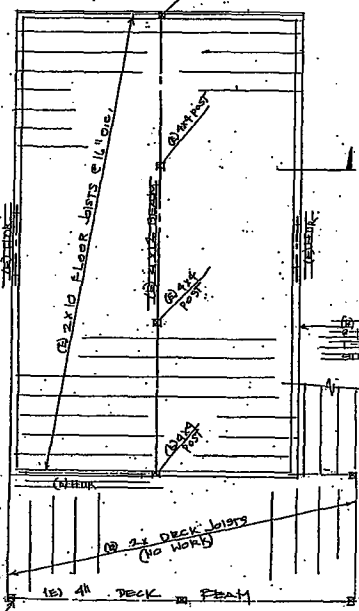
DATE: 12-14-07

SCALE: 1/4" = 1'-0"

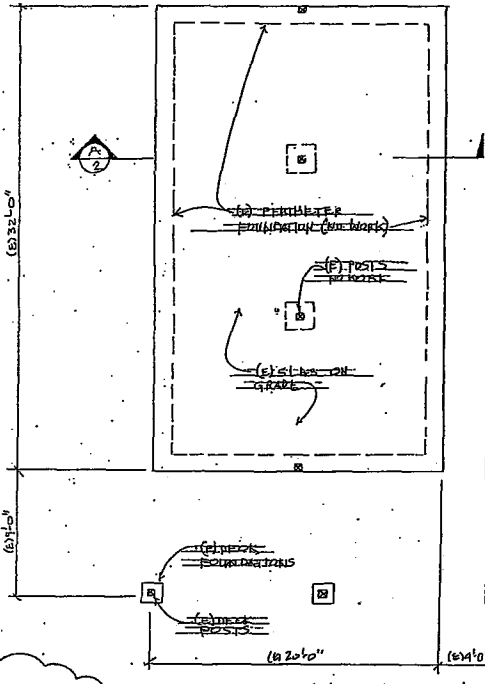
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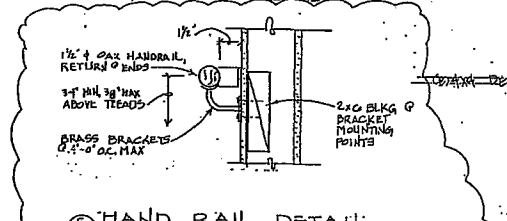
ROOF FRAMING PLAN
SCALE: 1/4" = 1'-0"



FLOOR FRAMING PLAN
SCALE: 1/4" = 1'-0"



FOUNDATION PLAN
SCALE: 1/4" = 1'-0"

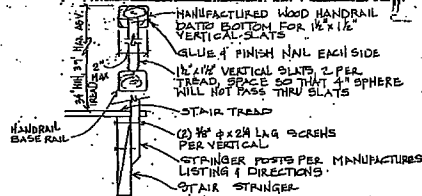


HAND RAIL DETAIL
SCALE: 3/4" = 1'-0"

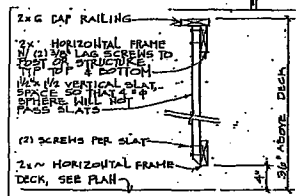
STAIR RAILING CRITERIA

- 1. RAILINGS AND HANDRAILS TO BE CONNECTED TO STRUCTURE TO SUPPORT HORIZONTAL BEARS OF 20 LB AGAINST THE TOP RAIL
- 2. RAILS SHALL BE SPACED SO THAT A 4" SPHERE DOES NOT PASS BETWEEN SLATS OF BOTTOM RAILS AND DECK PLATFORM
- 3. SLATS OF MAX RISE 4" MINIMUM; MAX DIFFERENCE BETWEEN HEIGHT OF SLATS = 1/8"

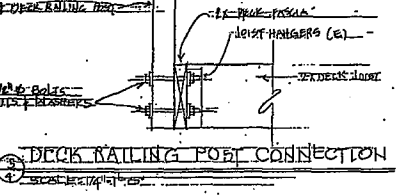
NOTE: DECK CONDITIONS
2. AS EXISTING PROPE
ONICAL BUILDING CONSTRUCTION
PERMIT FROM PREVIOUS
PROPERTY OWNERS



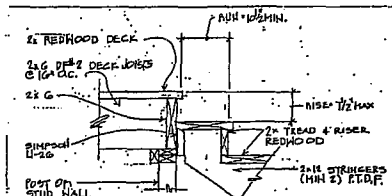
STAIR BANNISTER DETAIL
SCALE: 1/2" = 1'-0"



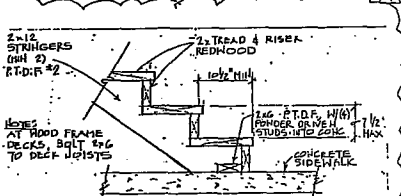
DECK RAILING DETAIL
SCALE: 1/2" = 1'-0"



DECK RAILING POST CONNECTION
SCALE: 1/2" = 1'-0"



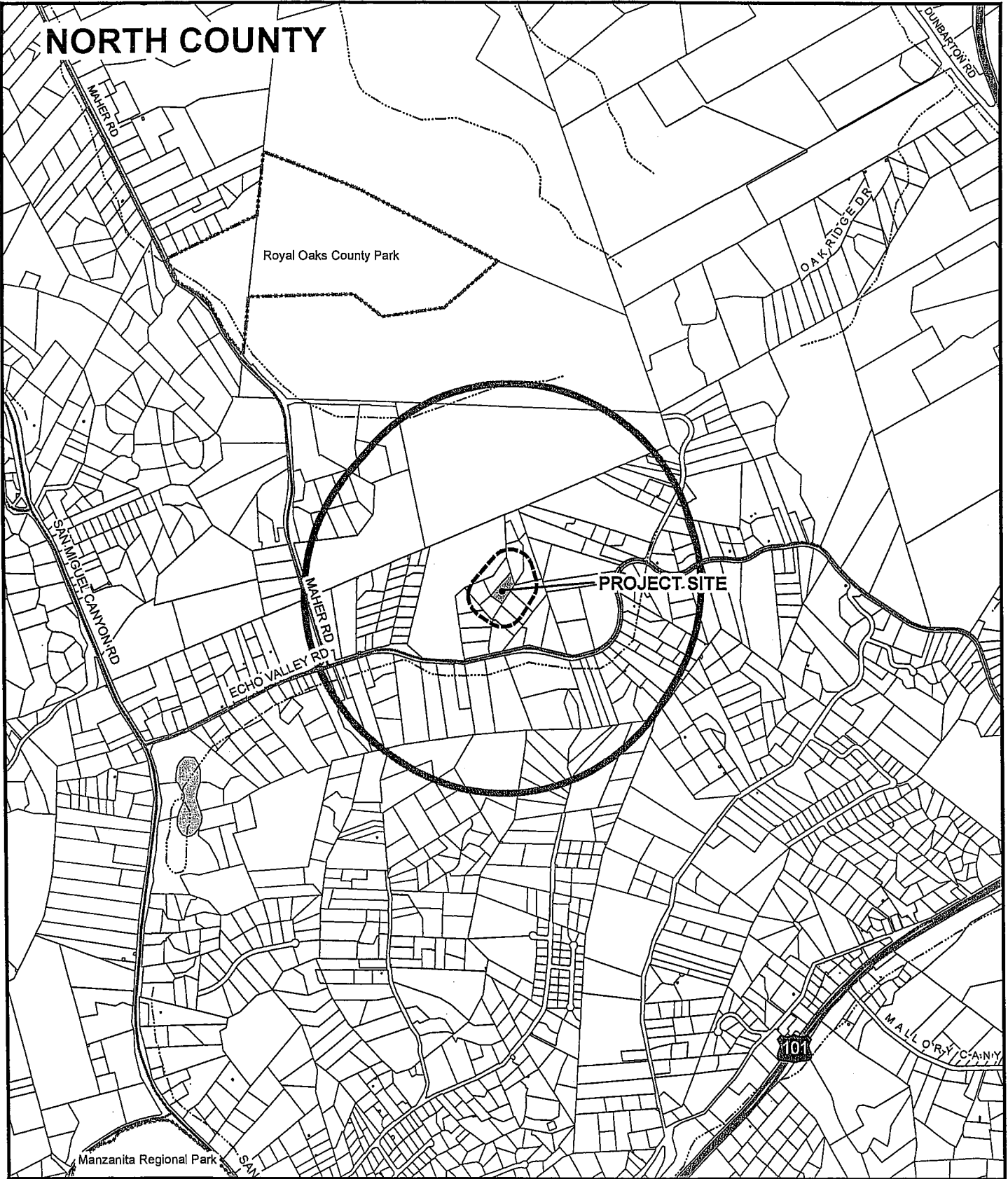
STAIR TOP DETAIL
SCALE: 1/2" = 1'-0"



STAIR BASE DETAIL
SCALE: 1/2" = 1'-0"

- NOTES**
- 1. NO CONCRETE WORK FOR THIS PROJECT
 - 2. ALL CONSTRUCTION LUMBER - DRY OR BETTER
 - 3. NO NEW LUMBER IN CONTACT WITH CONCRETE
 - 4. STRUCTURE IS EXISTING, EXCEPT TURN CHANGES PERMITTED TO PROVIDE 4 CORNER HANDRAILS


NORTH COUNTY




APPLICANT: BROWNFIELD

APN: 127-081-018-000

FILE # PLN070093

 300' Limit

 2500' Limit

 City Limits

