

MIKE NOVO
ZONING ADMINISTRATOR

STATE OF CALIFORNIA
COUNTY OF MONTEREY

RESOLUTION NO. CMB080001

A.P.# 216-033-015-000

In the matter of the application of
Lucia Highlands Vineyard, Inc. (CMB080001)

FINDINGS & DECISION

for an **Administrative Permit** in accordance with Title 21 (Zoning) Chapter 21.70 (Administrative Permits) of the Monterey County Code, to allow installation of a 1,229 square foot manufactured home which was manufactured more than 10 years ago, the construction of a new 36 inch high, 34 linear foot retaining wall surrounding the water tank pad and grading for the new residence, driveway and to level existing irrigation pond (cut: 2,200 cubic yards/fill: 2,200 cubic yards. The property is located at 1534 River Road, Greenfield, Northwest of the intersection of River Road and Gonzales River Road, Central Salinas Valley Area, and came on regularly for meeting before the Zoning Administrator on July 31, 2008.

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, Central Salinas Valley Area Plan and Inventory and Analysis, and the Monterey County Zoning Ordinance (Title 21), which designates this area as appropriate for residential development. Specifically, the proposed manufactured home complies with all applicable requirements of Section 21.64.040.

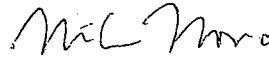
- EVIDENCE:**
- (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
 - (b) The property is located at 1534 River Road, Gonzales (Assessor's Parcel Number 216-033-015-000), Central Salinas Valley Area. The parcel is zoned "F/40" (Farmlands, 40 acres per unit) which allows up to three single family residences, accessory to the agricultural use of the property for an owner, operator or employee employed on site. The project is in compliance with Site Development Standards for a Farmlands District in accordance with Section 21.30.060. Therefore, the property is suitable for the proposed development.
 - (c) The project planner conducted a site inspection on July 9, 2008 to verify that the project on the subject parcel conforms to the plans listed above.
 - (d) 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 CMB080001.
 - (e) The manufactured home will have siding material which has the appearance of wood and roofing material of composition shingles. When installed, the manufactured home will have the appearance of a conventionally built home.

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, Gonzales Rural 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) Technical reports by geotechnical consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff concurs. The following reports have been prepared:
i. “Geotechnical and Septic System Investigation” prepared by Soil Surveys Inc., Salinas, CA, September 18, 1996 and update letter prepared July 13, 2007.
(c) Staff conducted a site inspection July 9, 2008 to verify that the site is suitable for this use.
(d) Materials in Project File CMB080001.
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(a) categorically exempts one single family residence.
(b) No adverse environmental effects were identified during staff review of the development application during a site visit on July 9, 2008.
(c) Development is contained in an already disturbed area of the property. There are no unusual circumstances related to the project or property.
(d) See preceding findings and following evidence.
4. **FINDING: NO VIOLATIONS** - 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. Zoning violation abatement costs, if any, have been paid.
EVIDENCE: Staff reviewed Monterey County RMA - Planning Department and Building Services Department Monterey County records and is not aware of any violations existing on subject 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: See preceding findings and following evidence.
6. **FINDING: REFERRAL TO PUBLIC HEARING** – This Administrative Permit is referred to the Zoning Administrator for consideration at a public hearing pursuant to Section 21.70.060.5.
EVIDENCE: Letter received from Dan and Lori McNeil requesting a public hearing based on concerns about noise and potential adverse aesthetic impacts.
7. **FINDING: APPEALABILITY** - The decision on this project is appealable to the Monterey County Planning Commission.
EVIDENCE: Section 21.80.404.B of the Monterey County Zoning Ordinance (Title 21).

DECISION

THEREFORE, it is the decision of said Zoning Administrator that said application for an Administrative Permit be granted as shown on the attached sketch, and subject to the attached conditions.

PASSED AND ADOPTED this 31st day of **July, 2008**.



MIKE NOVO, ZONING ADMINISTRATOR

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON AUG 15 2008

THIS APPLICATION IS APPEALABLE TO THE PLANNING COMMISSION. IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY OF THE PLANNING COMMISSION ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE AUG 25 2008

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 RMA - Planning and RMA - Building Services Department offices 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 Plan**

Project Name: Lucia Highlands Vineyard, Inc.

File No: CMB080001

APNs: 216-033-015-000

Approved by: Zoning Administrator

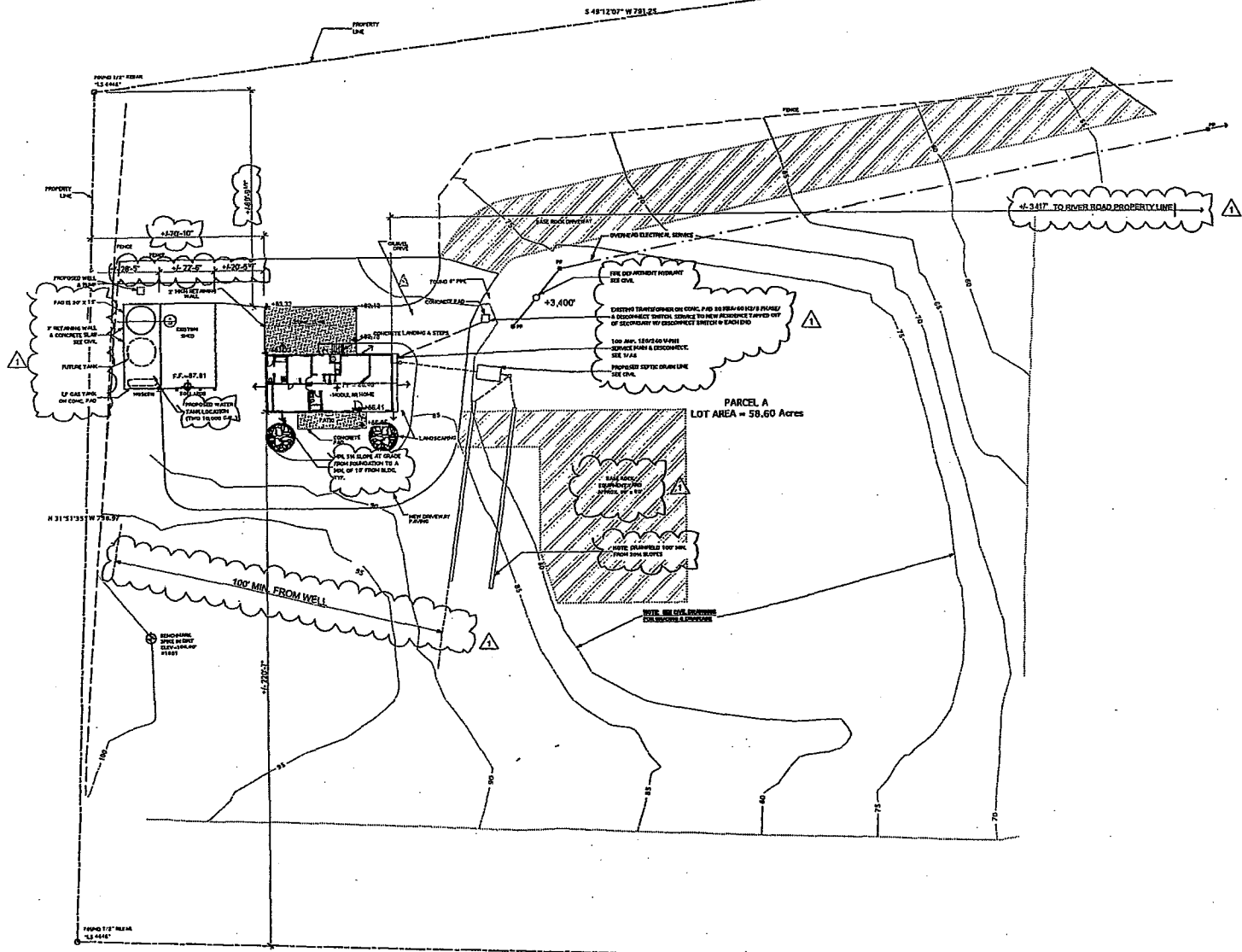
Date: July 31, 2008

<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 Administrative Permit (CMB080001) allows the installation of a 1,229 square foot manufactured home which was manufactured more than 10 years ago, the construction of a new 36 inch high, 34 linear foot retaining wall surrounding the water tank pad and grading for the new residence, driveway and to level existing irrigation pond (cut: 2,200 cubic yards/fill: 2,200 cubic yards). The property is located at 1534 River Road, Gonzales (Assessor's Parcel Number 216-033-015-000), Central Salinas Valley 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</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>
		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. (RMA - Planning Department)				
2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution CBM080001) was approved by the Zoning Administrator for Assessor's Parcel Number 216-033-015-000 on July 31, 2008. The permit was granted subject to 5 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)	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		PD007 - GRADING-WINTER RESTRICTION No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department. (RMA - Planning Department and Building Services Department)	Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.	Owner/ Applicant	Ongoing	
4		PD012(F) - LANDSCAPE PLAN AND MAINTENANCE (SINGLE FAMILY DWELLING ONLY) The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time	Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of 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>
		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 include an irrigation plan. The plan 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 RMA - Planning 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. (RMA – Planning Department)	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 RMA - Planning Department.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to Occupancy	
5		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)	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. The lighting shall be installed and maintained in accordance with the approved plan.	Owner/Applicant Owner/ Applicant	Prior to the issuance of building permits. Prior to Occupancy/ Ongoing	

END OF CONDITIONS



LUCIA HIGHLANDS
VINEYARD
1534 RIVER ROAD
CORONA, CA

DEVCON
CONSTRUCTION
INCORPORATED
800 Overhill Drive
Milpitas, California 95035
(408) 954-0000 FAX (408) 954-1123

NOTE:
MODULAR HOME SPECIFICATIONS AND DETAILS ARE REPRODUCED HERE FOR CONVENIENCE AND TO COORDINATE SITE BUILT WORK. SEE "GOLDEN WEST" PROJECT INSTALLATION MANUAL FOR ENGINEERING, APPROVALS, AND INSTALLATION INSTRUCTIONS AND DETAILS.



NOTES:
1. CONTRACTOR SHALL VERIFY ALL UTILITIES AND RECORD DRAWINGS FOR ANY CHANGES TO THE CONTRACT. ALL UTILITIES SHALL BE DEPTH MARKED AND LOCATED BY THE CONTRACTOR. ALL UTILITIES SHALL BE DEPTH MARKED AND LOCATED BY THE CONTRACTOR. ALL UTILITIES SHALL BE DEPTH MARKED AND LOCATED BY THE CONTRACTOR.

REVISIONS				
NO.	DATE	DESCRIPTION	BY	DATE
1	03/30/08	PLAN CHECK RESPONSE	DDA	

Partial Site Plan
Permit Set

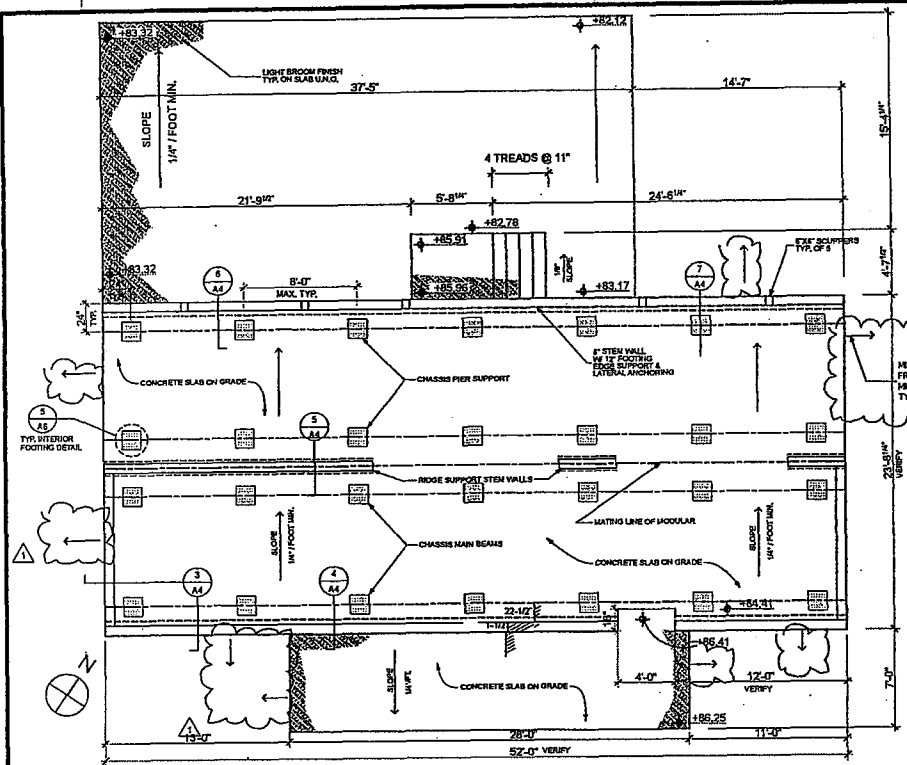
JOB NO. 08-044	SHEET NO. A2
DATE: 8-20-08	2 OF 8 SHEETS
DRAWN: HWT	
CHECKED: HWT	
ISSUE: HWT	

PARTIAL SITE PLAN
SCALE: 1" = 20'

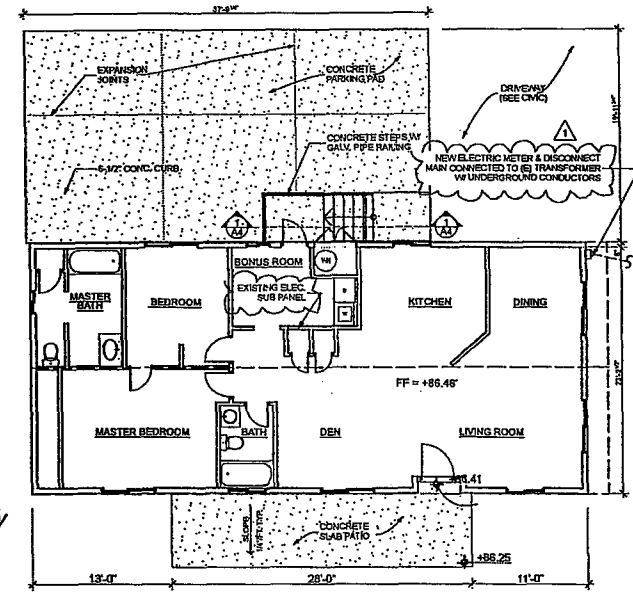
LUCIA HIGHLANDS VINEYARD
1534 RIVER ROAD
CONZALES, CA.

DEVCON CONSTRUCTION
DEVCON INCORPORATED
380 Orange Drive
Irvine, California 92614
(949) 251-8991 FAX (949) 251-1112

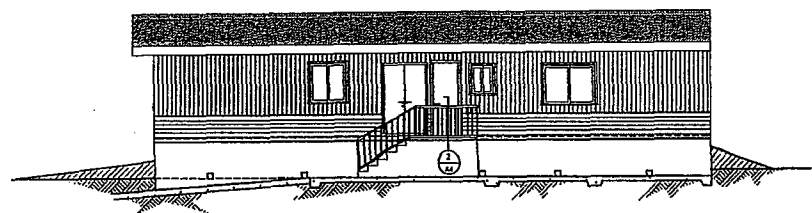
NOTE:
MODULAR HOME SPECIFICATIONS AND DETAILS ARE REPRODUCED HERE FOR CONVENIENCE AND TO COORDINATE SITE BUILT WORK. SEE "GOLDEN WEST HOMES" INSTALLATION MANUAL FOR ENGINEERING APPROVALS, AND INSTALLATION INSTRUCTIONS AND DETAILS.



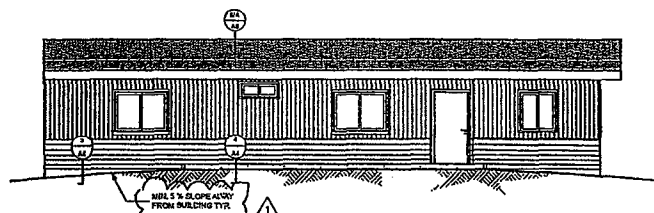
SLAB FOUNDATION PLAN
SCALE: 1/4" = 1'-0"



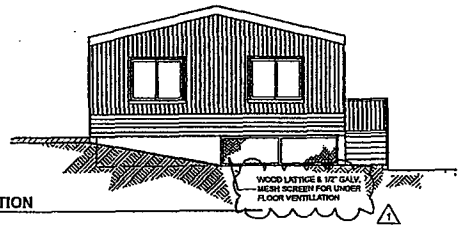
FLOOR PLAN GOLDEN WEST HOMES PLAN DESIGN # CA-09A-3 (1248 SQ. FT.)
SCALE: 3/16" = 1'-0"



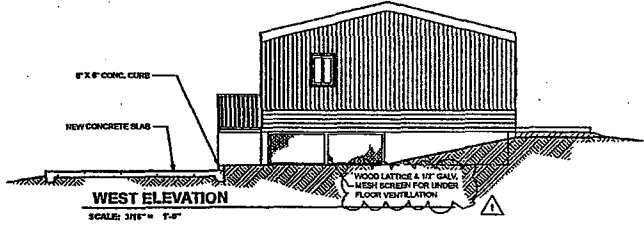
NORTH ELEVATION
SCALE: 3/16" = 1'-0"



SOUTH ELEVATION
SCALE: 3/16" = 1'-0"



EAST ELEVATION
SCALE: 3/16" = 1'-0"



WEST ELEVATION
SCALE: 3/16" = 1'-0"



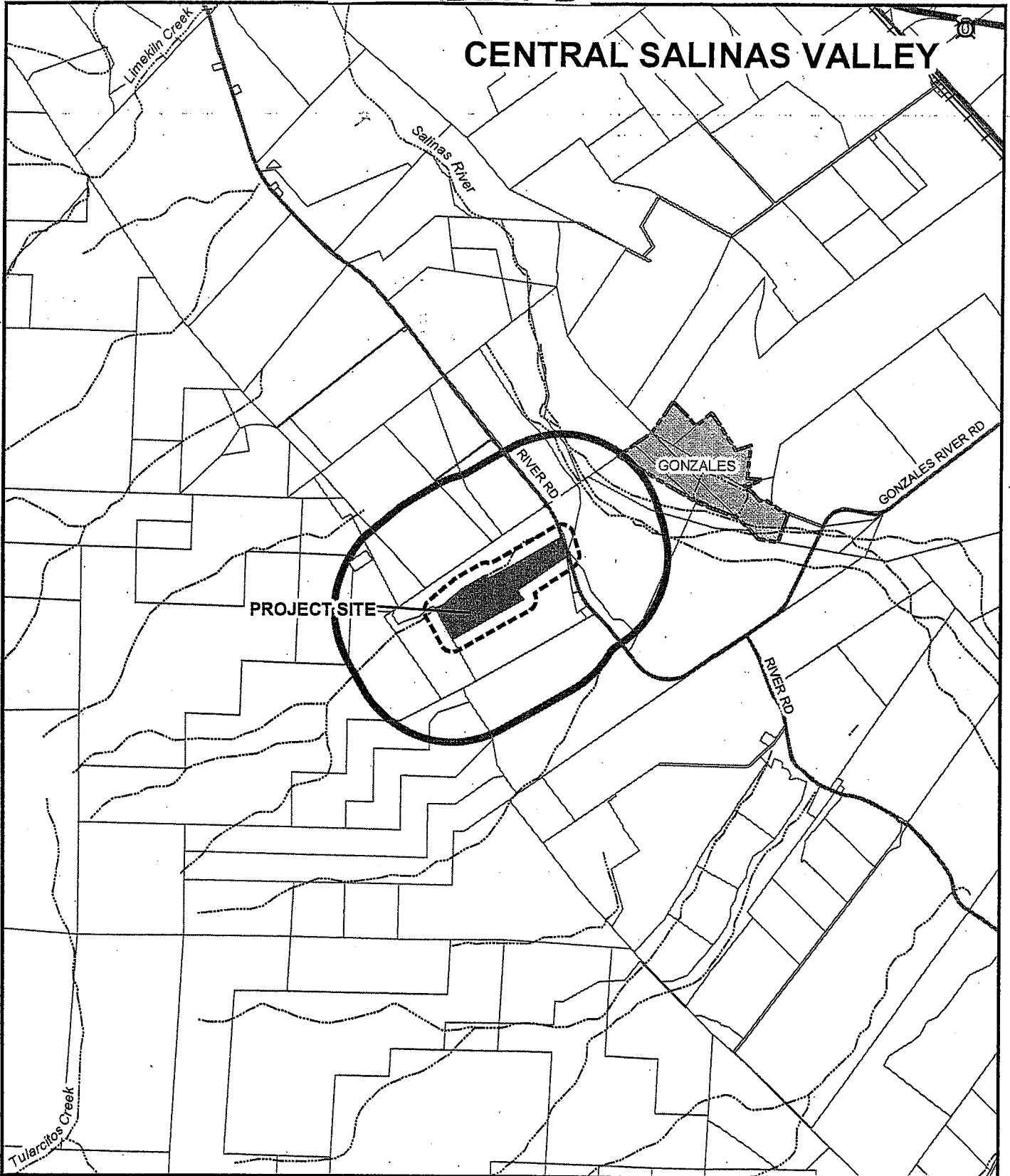
NOTICE:
CONTRACTOR SHALL PROVIDE NEW AND EXISTING MODULAR HOMES WITHIN THE PROJECT PERMITTED BY THE LOCAL PERMITS DEPARTMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL PERMITS DEPARTMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL PERMITS DEPARTMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL PERMITS DEPARTMENT.

REVISIONS				
NO.	DATE	DESCRIPTION	BY	DDA

Floor Plan/Slab Foundation Plan/ Elevations
Permit Set

JOB NO. 09-004	SHEET NO.
DATE: 3-10-09	A3
DRAWN: MDT	3 OF 3 SHEETS
CHECKED: WTD	
ISSUE: 09-09	




CENTRAL SALINAS VALLEY

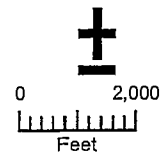


APPLICANT: LUCIA HIGHLANDS VINEYARD INC

APN: 216-033-015-000

FILE # CMB080001

 300' Limit  2500' Limit  City Limits



PLANNER: ROBINSON