

MIKE NOVO
ZONING ADMINISTRATOR

STATE OF CALIFORNIA
COUNTY OF MONTEREY

RESOLUTION NO. 080045

A.P.# 129-222-012-000

In the matter of the application of
Dale and Lisa Mitchell (PLN080045)

FINDINGS & DECISION

for a **Coastal Development Permit** in accordance with Title 20 (Monterey County Coastal Implementation Plan Ordinance) Chapter 20.70 (Coastal Development Permits) of the Monterey County Code, to allow intensification of an existing youth housing facility to house eight youth within an existing nine (9) bedroom dwelling. The property is located at 6835 Paradise Road, Salinas, North County Land Use Plan., and came on regularly for hearing before the Zoning Administrator on September 11, 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, North County Land Use Plan, Coastal Implementation Plan Part 2, and the Monterey County Zoning Ordinance (Title 20), which designates this area as appropriate for development.
EVIDENCE: (a) Plan Conformance 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) Zoning Consistency The property is located at 6835 Paradise Road, Prunedale (Assessor's Parcel Number 129-222-012-000), North County Land Use Plan. The parcel is zoned Low Density Residential, 2.5 acres per unit, in the Coastal Zone ("LDR/2.5 (CZ)") which allows residential care homes of not more than 6 persons subject to a Coastal Administrative Permit in each case. This section of the Local Coastal Plan was adopted in the 1980's and is out of date with current state law which allows housing of up to eight (8) persons. No additions or new construction are proposed and the existing parking area complies with the parking requirements contained in Title 20 Section 20.58.040 for Children's Home, Orphanage. The property and existing structure are suitable for the proposed use.
(c) Water Impact – North County The existing dwelling contains nine (9) bedrooms. These bedrooms could be occupied under a normal residential use for a large or extended family. Occupancy of the dwelling is limited by fire codes to two per bedroom plus one, making the maximum occupancy 19 people. Given this theoretical maximum potential water use with housing for eight youth, is not anticipated to cause a significant impact. The property is also located within the area of benefit from the Salinas Valley Water Project (Zone 2C) which is expected to recharge the ground water aquifer in the subject area.
(e) LUAC The project was referred to the North County Coastal Land Use Advisory Committee (LUAC) for review. On May 19, 2008 the LUAC recommended approval of the project by a vote of 6-0. Comments were made regarding the need for the increased bedroom capacity to house youth referred from Social Services, existing septic capacity

being adequate to support the intensification, current use of low-flow water fixtures, their voluntary practice of the use of bottled water for drinking and cooking, fire clearance and debris removal, and the excellent conditions provided at the existing facility. Conditions of approval have been incorporated to require fire clearance and debris removal (Conditions #6 & #4)

- (f) Application 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 PLN080045.

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) The existing small water system was found to have an adequate capacity and water quality to serve the structure including the proposed use at the subject property.
- (c) State laws currently allows for residential youth care facilities housing up to eight (8) persons (Title 22 – State Social Services codes).
- (d) Materials in Project File PLN080045.

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 15301, categorically exempts minor alterations to existing structures including negligible or no expansion of use beyond that existing.
- (b) The proposal includes providing two additional accommodations for a total of eight youth at a time, which has been determined to be a negligible expansion of the use. State law allows for residential youth housing facilities housing up to eight (8) youth.
- (c) No physical expansion is proposed or required.
- (d) See preceding and following findings and supporting 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: (a) The Central Coast Youth Foundation has been providing housing for youth since 1995 at the current location.

- (b) Those youth referred to the Central Coast Youth Foundation have been referred by the Social Services Department and have been determined to be eligible for such arrangements.
- (c) The Central Coast Youth Foundation is a licensed, non-profit group home that is capable of providing care for the permitted use, as certified by State licensing requirements.
- (d) Also see Findings 1-3 with supporting Evidence above.

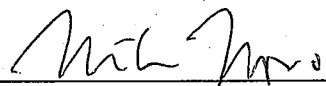
6. **FINDING: APPEALABILITY** - The decision on this project is appealable to the Board of Supervisors and the California Coastal Commission.

EVIDENCE: (a) Section 20.86.030 of the Monterey County Coastal Implementation Plan - Part 1 (Board of Supervisors).
(b) The project may be appealed to the California Coastal Commission pursuant to Section 20.86.080 of the Monterey County Coastal Implementation Plan - Part 1 because the current regulations allow housing of up to six. Housing for eight youth is proposed which has been determined to be subject to a Coastal Development Permit (Conditional Use).

DECISION

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

PASSED AND ADOPTED this 11th day of September, 2008.



MIKE NOVO, ZONING ADMINISTRATOR

COPY OF THIS DECISION MAILED TO APPLICANT ON SEP 24 2008

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS. IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE OCT - 4 2008

THIS APPLICATION IS ALSO APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE DECISION BY THE BOARD OF SUPERVISORS, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

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: Central Coast Youth Foundation

File No: PLN080045

APNs: 129-222-012-000

Approved by: Zoning Administrator

Date: September 11, 2008

**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.		PD001 - SPECIFIC USES ONLY This Coastal Development permit (PLN080045) allows the intensification of an existing youth housing facility to house eight youth within an existing nine (9) bedroom dwelling. The property is located at 6835 Paradise Road, Salinas (Assessor's Parcel Number 129-222-012-000), North County Land Use 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	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

		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 080045) was approved by the Zoning Administrator for Assessor's Parcel Number 129-222-012-000 on September 11, 2008. The permit was granted subject to 8 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County 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.	<p>PD004 - INDEMNIFICATION AGREEMENT</p> <p>The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. (RMA - Planning Department)</p>	<p>Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County.</p> <p>Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.</p>	Owner/ Applicant	<p>Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable</p>	
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4.		<p>PD027 - DEBRIS REMOVAL</p> <p>Prior to the issuance of a building permit, recordation of a final map or parcel map or initiation of the use, applicant shall cause to be removed from the property all junk, including scrap metals, scrap materials, dismantled or wrecked vehicles or machinery, garbage, debris or similar materials. (RMA – Planning Department)</p>	<p>Proof of compliance shall be submitted to RMA - Planning Department prior to commencement of use.</p>	<p>Owner/ Applicant</p>	<p>Prior to the commence ment of use</p>	
5.		<p>FIRE011 - ADDRESSES FOR BUILDINGS</p> <p>All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each 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. (North County FPD)</p>	<p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p>	<p>Prior to commence ment of use</p>	

6.	<p>FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)</p> <p>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. (North County FPD)</p>	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to commencement of use	
7.	<p>FIRE025 - SMOKE ALARMS -- (SINGLE FAMILY DWELLING)</p> <p>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. (North County FPD)</p>	Applicant shall schedule fire alarm system acceptance test.	Applicant or owner	Prior to commencement of use	
8.	<p>FIRESP001 -- EXIT SIGNS, FIRE AND SMOKE ALARMS (NON-STANDARD)</p> <p>Exit signs shall be installed pursuant to California Building Code 111713.5.1 with manual fire alarm pull stations at the exit. Portable Fire Extinguisher's (2A: 10-D-C) shall also be provided in the dwelling. (North County FPD)</p>	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to commencement of use	

END OF CONDITIONS

SKETCH ADDENDUM

File No. 4249

Borrower Mitchell

Property Address 6925 Paradise Canyon Road

City Salinas

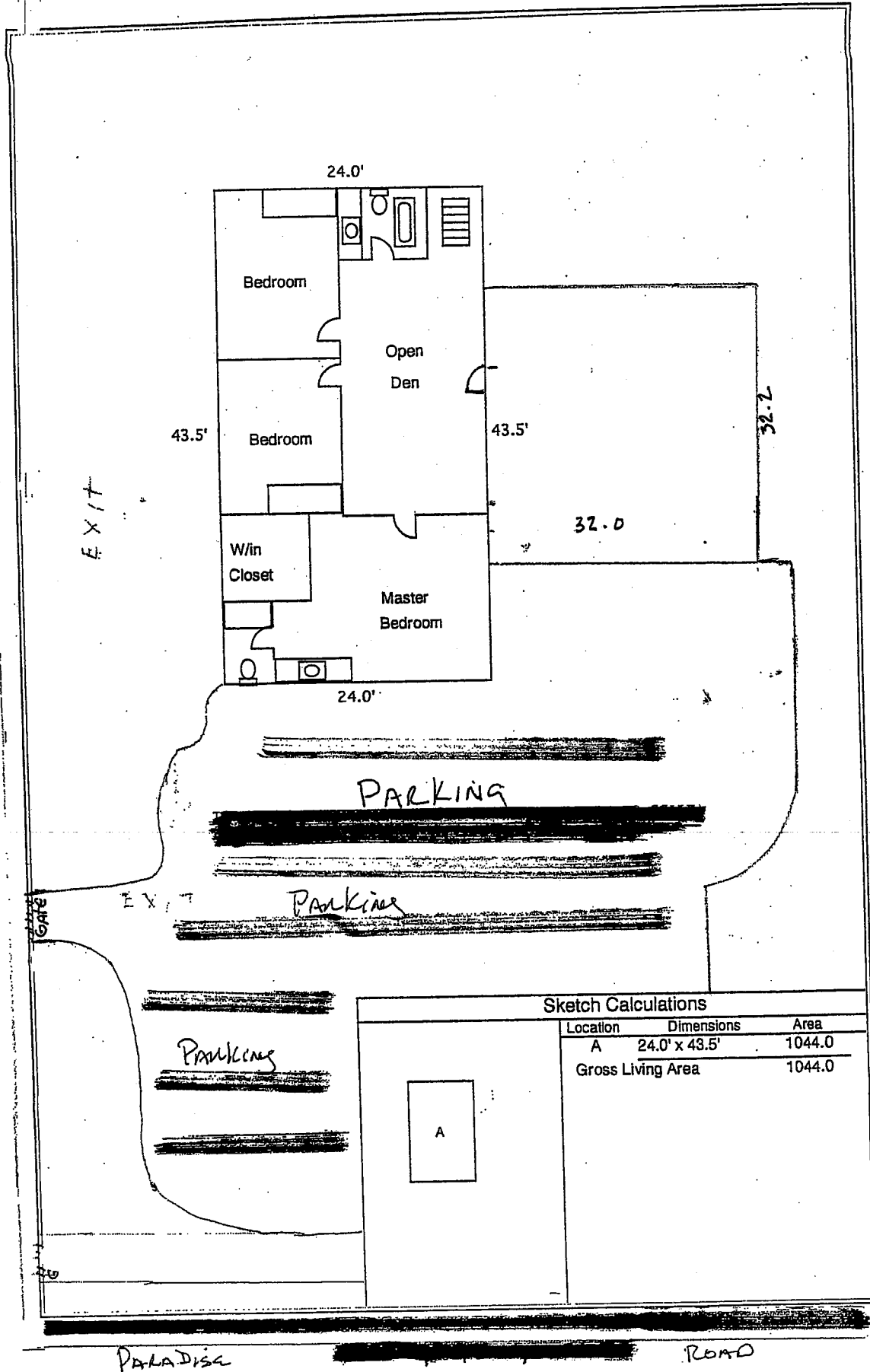
County Monterey

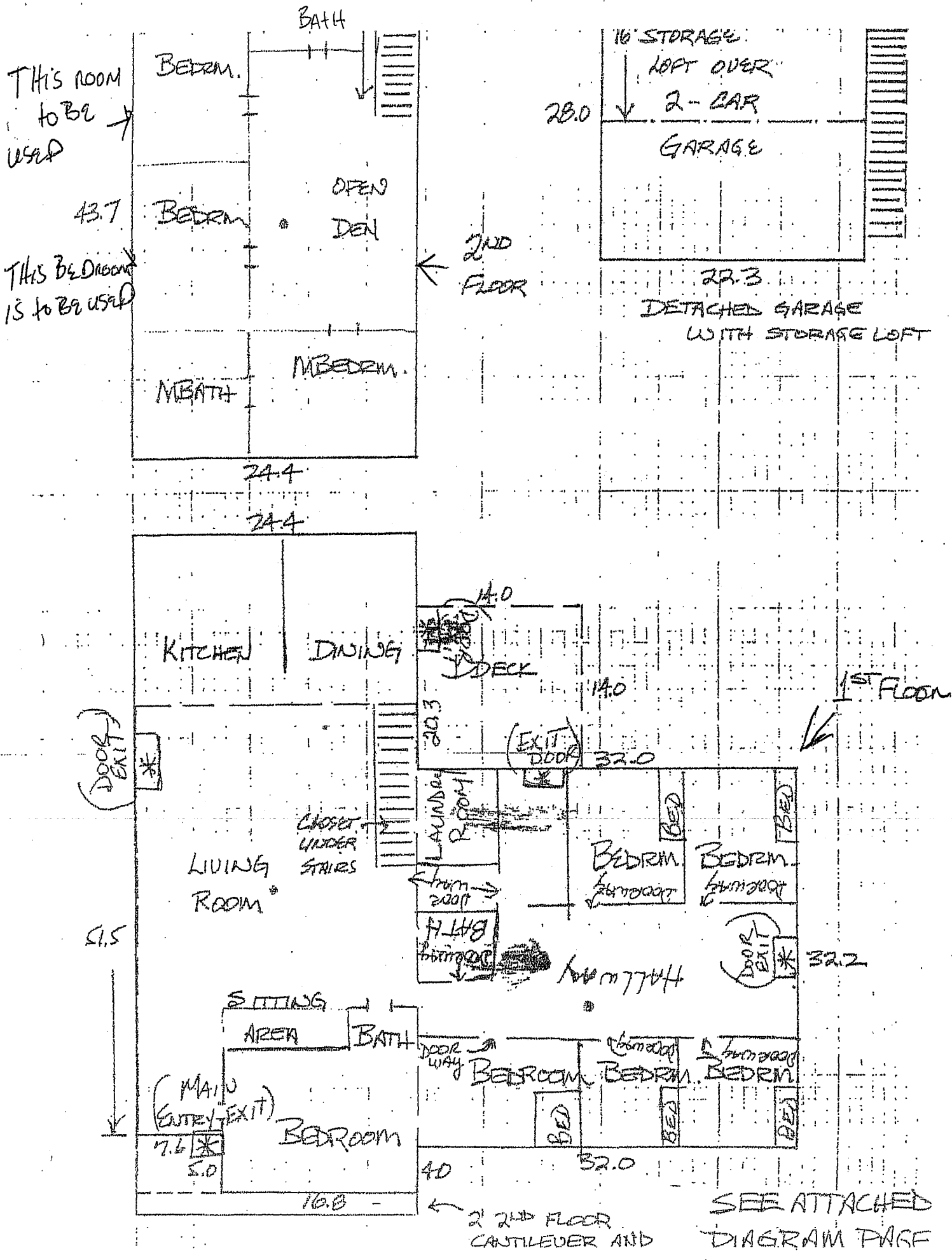
State Ca.

Zip Code 93907

Lender/Client Bank of Salinas

Address 301 Main Street, Salinas, CA 93901





NORTH COUNTY

Royal Oaks County Park

STRAWBERRY RD

HIDDEN VALLEY RD

LONG VALLEY RD

SAN MIGUEL CANYON RD

ECHO VALLEY RD

MAHER RD

PARADISE RD

PROJECT SITE

WALKER VALLEY RD

PARADISE RD

DESMOND RD

CASTROVILLE BLVD

Manzanita Regional Park

DEL MONTE FARMS RD

PRUNEDALE NORTH RD

101

APPLICANT: MITCHELL

APN: 129-222-012-000

FILE # PLN080045

300' Limit

2500' Limit

City Limits

N

0 2,000
Feet



PLANNER: SPENCER