

**Before the Zoning Administrator in and for the  
County of Monterey, State of California**

In the matter of the application of:

**WATER WEST CORPORATION (PLN080501)**

**RESOLUTION NO. 10-015**

Resolution by the Monterey County Zoning  
Administrator:

- 1) Categorically Exempt per Section 15301 (b)
- 2) Approving Coastal Development Permit to allow the installation of a Manganese and Iron treatment facility at an existing public well station.

(PLN080501, Water West Corporation, CWS Station 305 on Berry Road, Las Lomas, North County Land Use Plan (APN: 119-101-027-000)

**The Coastal Development Permit application (PLN080501) came on for public hearing before the Monterey County Zoning Administrator on April 8, 2010. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:**

**FINDINGS**

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

**EVIDENCE:** a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:

- the Monterey County General Plan,
- North County Land Use Plan,
- Monterey County Coastal Implementation Plan, Part 2
- Monterey County Zoning Ordinance (Title 20)

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 CWS Station 305 on Berry Road, Las Lomas (Assessor's Parcel Number 119-101-027-000, North County Land Use Plan. The parcel is zoned "RDR/5 (CZ)" Rural Density Residential, 5 acres per unit in the Coastal Zone, which allows water system facilities and improvements including wells and storage tanks serving 15 or more service connections subject to a Coastal Development Permit. Therefore, the project is an allowed land use for this site.
- c) Restoration of the quality of degraded surface waters shall be encouraged. (Policy 2.5.2.2 North County Land Use Plan)
- d) The project consists of the addition of a Manganese and Iron treatment facility to an existing public well station for the purpose of providing quality water to the Berry Road neighboring community within Las

Lomas. Therefore, the project is consistent with the North County Land Use Plan.

- e) The project planner conducted a site inspection on February 24, 2009 to verify that the project on the subject parcel conforms to the plans listed above.
- f) The project does not require any tree removal nor is it within any slopes or environmentally sensitive habitat. There are no viewshed issues and the project meets all the required site development standards. The 38,000 square foot parcel is located across the street from a residential neighborhood, and has an existing 6 foot high fence surrounding the property.
- g) On March 16, 2009, the North County Land Use Advisory Committee recommended approval (vote 4-1) with concerns that the contaminants might accumulate to concentrations that would cause problems. The applicants assured that flushing of contaminants and trickling them into the sewer would address this. This project took almost a year for the applicant to work with staff from Monterey County Public Works and the City of Watsonville to ensure that the backwash discharge would not have any adverse impacts to the sewer system.
- 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 PLN080501.

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, Parks, 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 identified the possibility of potential impacts to contaminated discharge into the sewer line fronting the Station 305. However, chlorine will be the only oxidant used for the treatment process. The City of Watsonville Source Control Manager has confirmed that water quality will not be affected and the RMA Public Works Department has confirmed that there is adequate capacity in the sewer lines and the lift station will accommodate the additional flow. County staff independently reviewed their findings and concurs with their conclusions.
  - c) There was no opposition present at the neighborhood Land Use Advisory Committee meeting. Water West has indicated that the neighboring community is aware of the upgrade and there will not be additional noise generated from the facility.
  - d) Staff conducted a site inspection on February 24, 2009 to verify that the site is suitable for this use.

- e) 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 PLN080501.

3. **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 project was reviewed by RMA - Planning Department, North County Fire Protection District, Parks, Public Works, Environmental Health Division, and Water Resources Agency. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
  - b) This is a necessary public facility which requires maintenance of a public water supply.
  - c) The City of Watsonville Source Control Manager has confirmed that water quality will not be affected by the chlorine used for the treatment process and the RMA Public Works Department has confirmed that there is adequate capacity in the sewer lines and the lift station will accommodate the additional flow. County staff independently reviewed their findings and concurs with their conclusions.
  - d) There was not opposition present at the neighborhood Land Use Advisory Committee meeting. Water West has indicated that the neighboring community is aware of the upgrade and there will not be additional noise generated from the facility.
  - e) Preceding findings and supporting evidence for PLN080501.

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.

- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
  - b) Staff conducted a site inspection on February 24, 2009 and researched County records to assess if any violation exists on the subject property.
  - c) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN080501.

5. **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 (b) categorically exempts the operation, repair and maintenance of an existing facilities of both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage, or other public utility services.
- b) The project proposes a Manganese and Iron treatment facility to act as a cleaning system to the existing public well station for the purpose of providing quality water to the neighborhood. Located on Berry Road, the 38,000 square foot parcel is fenced in and across the street from a residential neighborhood. There will be no additional noise from the facility. The back wash water will be discharged to the public sewer system. Monterey County Public Works and the City of Watsonville have confirmed that the chlorine backwash discharge will not adversely affect the existing sewer system.
- c) No adverse environmental effects were identified during staff review of the development application during a site visit on February 24, 2009.
- d) See preceding findings #1, #2 and #3 and supporting evidence.
6. **FINDING: PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and Local Coastal Program, and does not interfere with any form of historic public use or trust rights.
- EVIDENCE:** a) No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.144.150 of the Monterey County Coastal Implementation Plan can be demonstrated.
- b) The subject property is not described as an area where the Local Coastal Program requires public access (Figure 4 in the North County Land Use Plan).
- c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
- d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN080501.
- e) The project planner conducted a site inspection on February 24, 2009.
7. **FINDING: APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission.
- EVIDENCE:** a) Section 20.86.030 Monterey County Zoning Ordinance (Board of Supervisors).

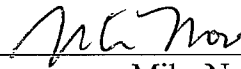
- b) Section 20.86.080.A.3 Monterey County Zoning Ordinance (Coastal Commission). The project is subject to appeal by/to the California Coastal Commission because development permitted as a conditional use may be appealed to the Coastal Commission.

**DECISION**

**NOW, THEREFORE**, based on the above findings and evidence, the Zoning Administrator does hereby:

- A. Categorically Exempts per CEQA Guidelines Section 15301 (b);
- B. Approves Coastal Development Permit for the installation of a Manganese and Iron treatment facility at an existing public well station, in general conformance with the attached sketch (**Exhibit 2**) and subject to the conditions (**Exhibit 1**), both exhibits being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 8<sup>th</sup> day of April, 2010.



Mike Novo, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON **APR 13 2010**

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 TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE

**APR 23 2010**

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS/IS NOT APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, 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

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 Department and Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

**RESOLUTION 10-015 - EXHIBIT 1**  
**Monterey County Resource Management Agency**  
**Planning Department**  
**Condition Compliance and/or Mitigation Monitoring**  
**Reporting Plan**

Project Name: Water West Corporation

File No: PLN080501

APNs: 119-101-027-000

Approved by: Zoning Administrator

Date: April 8, 2010

*\*Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

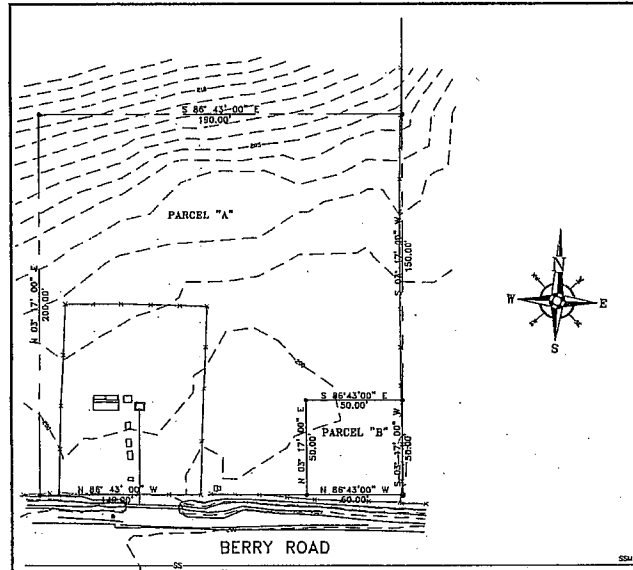
Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
<b>RMA – Planning Department</b>						
1.		<b>PD001 - SPECIFIC USES ONLY</b> This Coastal Development Permit (PLN080501) allows the installation of a Manganese and Iron treatment facility at an existing public well station. The property is located at CWS Station 305 on Berry Road, Las Lomas (Assessor's Parcel Number 119-101-027-000), 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. 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. <b>(RMA-Planning Department)</b>	Adhere to conditions and uses specified in the permit.  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.  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.	Owner/ Applicant  RMA - Planning  WRA  RMA - Planning	Ongoing unless otherwise stated	
2.		<b>PD002 - NOTICE-PERMIT APPROVAL</b> The applicant shall record a notice which states: "A permit (Resolution 10-015) was approved by the <b>Zoning Administrator</b> for Assessor's Parcel Number 119-101-027-000 on April 8, 2010. The permit was granted subject	Obtain appropriate form from the RMA-Planning Department.  The applicant shall complete the form and furnish proof of recordation of this	Owner/ Applicant  RMA- Planning	Prior to the issuance of grading and building	

<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>
		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." <b>(RMA-Planning Department)</b>	notice to the RMA - Planning Department.		permits or com- mence- ment of use.	
3.		<b>PD032(A) - PERMIT EXPIRATION</b> The permit shall be granted for a time period of 3 years, to expire on April 8, 2013 unless use of the property or actual construction has begun within this period. <b>(RMA – Planning Department)</b>	The applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.	Owner/ Applicant	As stated in the conditions of approval	
4.		<b>PD005a – NOTICE OF EXEMPTION</b> Pursuant to CEQA Guidelines § 15062, a Notice of Exemption shall be filed for this project. The filing fee shall be submitted prior to filing the Notice of Exemption.	The applicant shall submit a check, payable to the <i>County of Monterey</i> , to the Director of the RMA - Planning Department.	Owner/ Applicant	After project approval.	
5.		<b>EH3 - WATER SYSTEM IMPROVEMENTS (STATE PERMITTED SYSTEM)</b> Design the water system improvements to meet the standards as found in Titles 17 and 22 of the California Code of Regulations and as found in the Residential Subdivision Water Supply Standards. <b>(Environmental Health)</b>	Submit engineered plans for the water system improvements to the California Department of Public Health for review and approval. Submit evidence to the Director of Environmental Health that the proposed water system improvements have been approved by California Department of Public Health prior to installing or bonding the improvements	CA Licensed Engineer /Owner/ Applicant	Prior to the issuance of building permits.	

# **END OF CONDITIONS**

Rev. 11/21//2009



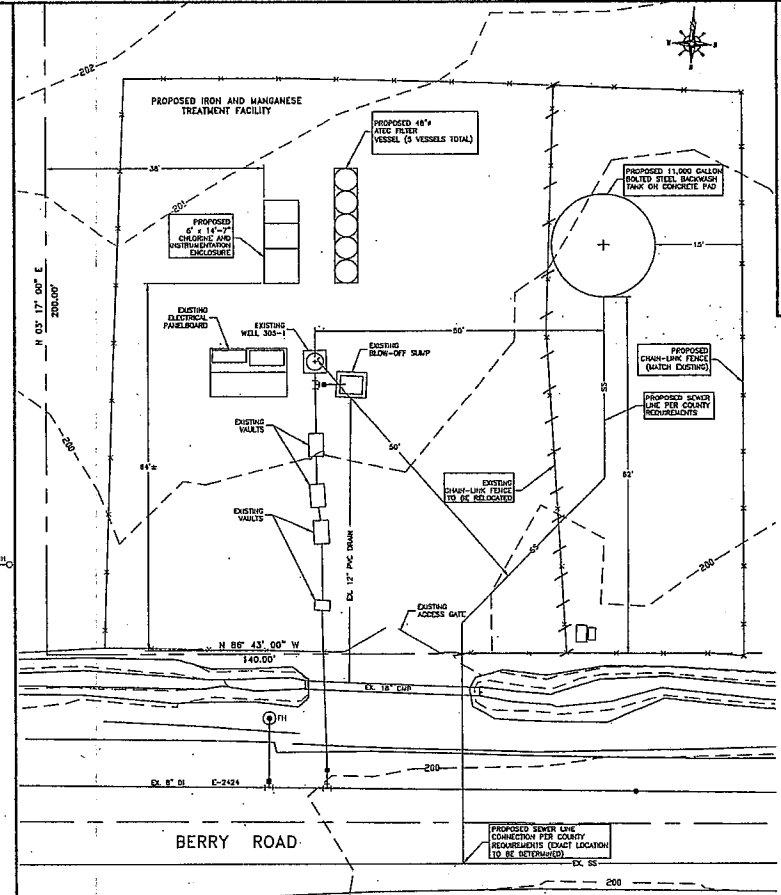


PLAN VIEW  
SCALE: 1" = 30'

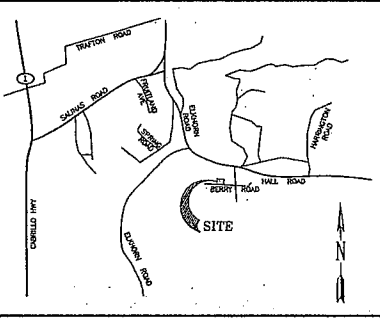
PARCEL "A"  
GRANTED TO WATER WEST CORP.  
DEED RECORDED IN OFFICE OF RECORDER,  
COUNTY OF MONTEREY, REEL 1022,  
PAGE 265.

PARCEL "B"  
GRANTED TO LAS LOMAS WATER COMPANY,  
DEED RECORDED IN OFFICE OF RECORDER,  
COUNTY OF MONTEREY, REEL 716,  
PAGE 46, ON JULY 22, 1971

LOCATED ± 500' WEST OF WILLOW ROAD



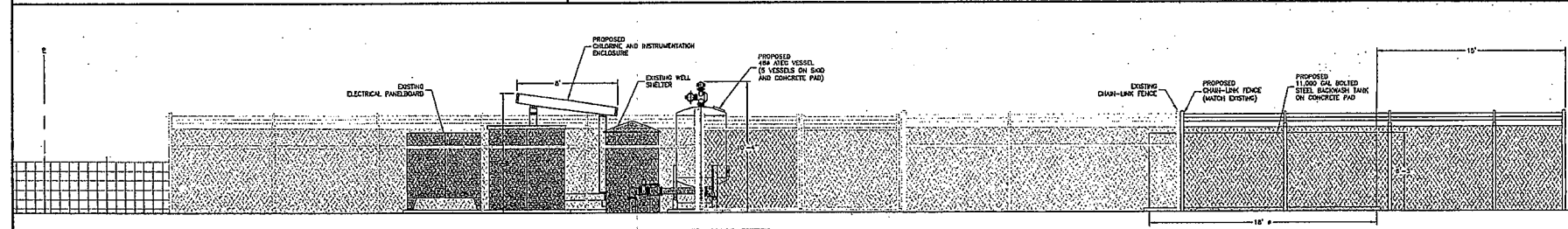
PLAN VIEW  
SCALE: 1" = 10'



VICINITY MAP

**PROJECT DATA TABLE:**

- LOT SIZE (PARCEL A): 28,500 SF
- LOT COVERAGE: 10,750 SF (37%)
- FLOOR AREA RATIO: 0.37 (0.334)
- CURB YARDS OF CUT: N/A
- CURB YARDS OF FILL: N/A
- PROPOSED TIE: FURNISH: N/A
- IMPERVIOUS COVERAGE: 0.02 SF



ELEVATION VIEW  
SCALE: 1" = 4'

**ENGINEERING**  
**CALIFORNIA**  
**WATER SERVICE CO.**  
**DEPARTMENT**

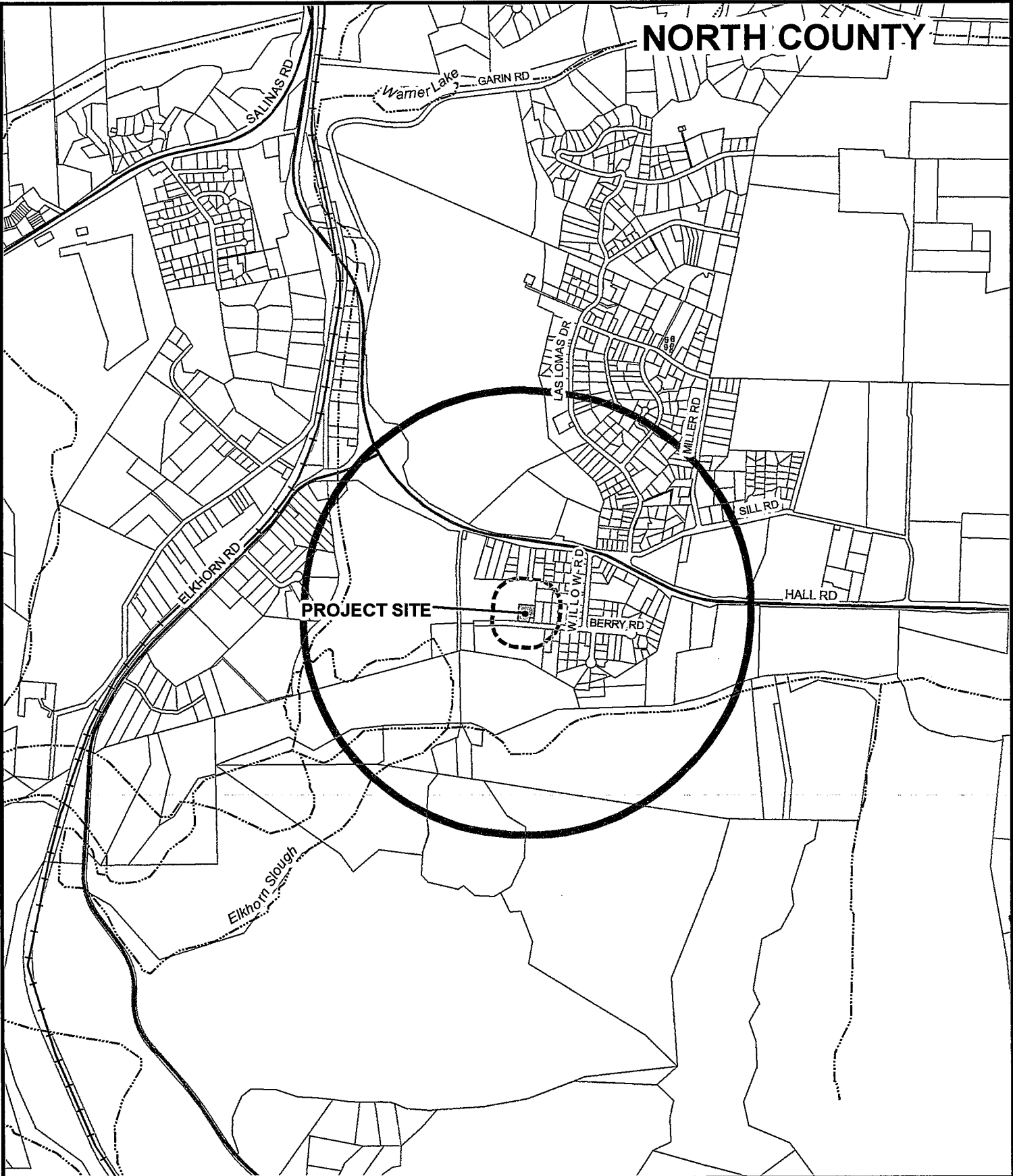
STATION 305  
IRON AND MANGANESE TREATMENT FACILITY  
PLOT PLAN AND ELEVATION

**PROJECT DATA:**

PROJECT NO.: SLN-42-35  
DATE: 2/02/2009  
PROJECT BY: 17006  
DRAWN BY: SLN-4924  
REV. 1 OF 1

**DESIGNED BY:** M. MAHAJAN  
**CHECKED BY:** G. JACOBSON

NORTH COUNTY



APPLICANT: WATER WEST CORPORATION

APN: 119-101-027-000

FILE # PLN080501

 300' Limit  2500' Limit  City Limits

