

MONTEREY COUNTY PLANNING COMMISSION

Meeting: August 26, 2009	Time: 9:00 A.M.	Agenda Item No.: 2
Project Description: After-the-fact Coastal Administrative Permit (to clear CE070339) to allow the conversion of an existing 1,000 square foot accessory structure into an 850 square foot senior unit with a 150 square foot attached storage room with no interior circulation, and request for fee waiver.		
Project Location: 950 Dolan Road, Castroville		APN: 131-052-001-000
Planning File Number: PLN080041 (Related to CE070339)		Owner: Ticar, Leticia
Planning Area: North County Coastal Land Use Plan		Flagged and staked: No
Zoning Designation: RDR/5 (CZ) [Rural Density Residential, 5 acres per unit (Coastal Zone)]		
CEQA Action: Categorically Exempt per Section 15303(e)		
Department: RMA - Planning Department		

RECOMMENDATION:

Staff recommends that the Planning Commission adopt a resolution (**Exhibit C**) to:

- 1) Categorically exempt this project per Section 15303(e) of the CEQA Guidelines;
- 2) Approve PLN080041, based on the findings and evidence and subject to the conditions of approval (**Exhibit C**); and
- 3) Deny the request for waiver of fees for the Coastal Administrative Permit and double fee for the code violation.

PROJECT OVERVIEW:

The applicant requests an after-the-fact Coastal Administrative Permit (to clear CE070339) to allow the conversion of an existing 1,000 square foot accessory structure into an 850 square foot senior unit with a 150 square foot attached storage room with no interior circulation. The applicant also requests a waiver of fees. See **Exhibit B** for a detailed discussion of the project and related issues.

OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this project:

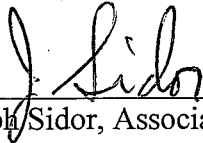
- √ RMA - Public Works Department
Environmental Health Division
Water Resources Agency
- √ North County Fire Protection District
California Coastal Commission

Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended by the RMA-Public Works Department, North County Fire Protection District, and the Planning Department have been incorporated into the Condition Compliance Reporting Plan attached as **Exhibit 1** to the draft resolution (**Exhibit C**).

LUAC RECOMMENDATION:

The North County Coastal Land Use Advisory Committee (LUAC), at a public meeting on May 18, 2009, reviewed and unanimously recommended approval of PLN080041 (**Exhibit E**).

Note: The decision on this project is appealable to the Board of Supervisors. It is not appealable to the California Coastal Commission.



Joseph Sidor, Associate Planner
(831) 755-5262, SidorJ@co.monterey.ca.us
August 12, 2009

cc: Front Counter Copy; Planning Commission Members, County Counsel; North County Fire Protection District; Public Works Department; Environmental Health Division; Water Resources Agency; California Coastal Commission; North County Coastal Land Use Advisory Committee; Laura Lawrence, Planning Services Manager; Joseph Sidor, Project Planner; Carol Allen, Senior Secretary; Leticia Ticar, Owner; Planning File PLN080041

Attachments: Exhibit A Project Data Sheet
Exhibit B Project Discussion
Exhibit C Draft Resolution, including:
1. Conditions of Approval
2. Site Plan, Floor Plan and Elevations
Exhibit D Vicinity Map
Exhibit E Advisory Committee Minutes
Exhibit F Project Correspondence (Fee Waiver Request)
Exhibit G Fee Waiver Policy

This report was reviewed by Laura Lawrence, Planning Services Manager.




EXHIBIT A
PROJECT DATA SHEET

PLN080041 (CE070339) – Ticar

Planning Commission
August 26, 2009

EXHIBIT A

Project Information for PLN080041

Project Title: TICAR LETICIA P

Location: 950 DOLAN RD MOSS LANDING

Primary APN: 131-052-001-000

Applicable Plan: North County Land Use Plan

Coastal Zone: Yes

Permit Type: Administrative Permit

Zoning: RDR/5 (CZ)

Environmental Status: Exempt

Plan Designation: RESIDENTIAL

Advisory Committee: North County (Coastal)

Final Action Deadline (884): 8/29/2009

Project Site Data:

Lot Size: 5 ACRES

Coverage Allowed: 25%

Coverage Proposed: 2.18%

Existing Structures (sf): 5,117

Height Allowed: 15

Proposed Structures (sf): 0

Height Proposed: 13

Total Sq. Ft.: 5,117

FAR Allowed: N/A

FAR Proposed: N/A

Resource Zones and Reports:

Environmentally Sensitive Habitat: No

Erosion Hazard Zone: N/A

Biological Report #: N/A

Soils Report #: N/A

Forest Management Rpt. #: N/A

Archaeological Sensitivity Zone: HIGH

Geologic Hazard Zone: VI/VERY HIGH

Archaeological Report #: N/A

Geologic Report #: N/A

Fire Hazard Zone: AGRICULTURAL

Traffic Report #: N/A

Other Information:

Water Source: WELL

Sewage Disposal (method): SEPTIC

Water Dist/Co: N/A

Sewer District Name: N/A

Fire District: NORTH COUNTY FPD

Grading (cubic yds.): 0.0

Tree Removal: N/A

EXHIBIT B
PROJECT DISCUSSION

PLN080041 (CE070339) – Ticar

Planning Commission
August 26, 2009

EXHIBIT B PROJECT DISCUSSION

Project Description and Setting

The project applicant requests an after-the-fact Coastal Administrative Permit (to clear CE070339) to allow the conversion of an existing 1,000 square foot accessory structure into an 850 square foot senior unit with a 150 square foot attached storage room with no interior circulation. In addition, the applicant requests approval for the waiver of fees for the Coastal Administrative Permit and double fee for the code violation.

The property is located at 950 Dolan Road, Castroville, North County. The project site is approximately 230 feet south of Dolan Road, approximately 2.5 miles east of Highway 1, approximately 1.35 miles north of Highway 156, and approximately 3 miles west of Highway 101. The site is bordered by rural residential uses to the south, east, west, and north. The parcel is zoned Rural Density Residential (RDR/5), and is approximately 5 acres. It is located in the Coastal Zone and is therefore subject to the requirements of the North County Coastal Land Use Plan, North County Coastal Implementation Plan, and Title 20 - Coastal Zoning Ordinance.

Existing development on the 5 acre property includes one existing single family residence with an attached garage, well and two water storage tanks, two 1,000 square foot non-habitable accessory structures, and one 1,000 square foot habitable accessory structure. The habitable structures on the property are served by the private well and individual septic systems. All existing structures meet the site development standards of Title 20, Section 20.16.060. The property contains three existing right-of-way or easements: a 60 foot right-of-way that provides access across the northern boundary of the parcel, a 30 foot right-of-way and utility easement provides access across the eastern boundary of the parcel, and a 150 foot PG&E easement which crosses the southern half of the parcel.

Project Issue

Code enforcement case CE070339 was opened on September 19, 2007, because the applicant had converted a non-habitable accessory structure to a habitable unit without the required planning or building permits. The conversion is an allowable use, provided the property owner first secures the necessary permits. The permitting process would also include review by the Environmental Health Division, Water Resources Agency, North County Fire Protection District, and Public Works. None of these necessary reviews occurred prior to the conversion of the structure from non-habitable to habitable.

Pursuant to CE070339, Planning File No. PLN080041 was initialized on January 29, 2008. The applicant submitted a full application package and paid required planning fees on May 1, 2009. Based on submitted information, the applicant does not qualify for a categorical fee waiver; therefore, the applicant submitted a request for waiver or reduction of fees (**EXHIBIT F**).

Fee Waiver

The request for waiver or reduction of fees is subject to consideration by the Planning Commission per the Fee Waiver Policy (**EXHIBIT G**) adopted by the Board of Supervisors on August 29, 2000 (Resolution No. 2000-342). The Planning Commission may waive or reduce permit fees when a request does not meet the listed criteria for RMA-Planning Department Director authorized fee waivers.

The Fee Waiver Policy does not provide staff the latitude to recommend any action other than denial of this request. Per the Fee Waiver Policy and the circumstances of this project/applicant,

the Planning Commission retains sole discretion in this case to either deny or approve (in part or fully) the request for waiver of fees.

On May 19, 2009, in conjunction with the application for Planning File No. PLN080041, the applicant submitted a request for waiver or reduction of the associated fees. The amount of the fees is based on the Monterey County Land Use Fee Schedule, adopted July 1, 2008. The fees for the subject project, in the amount of \$4,782.21, were paid by the applicant at the time of application submittal. In addition, the applicant paid a violation fee of \$4,507.00. The total for all RMA-Planning Department and violation fees is \$9,289.21.

The fee breakdown by department is as follows:

	Coastal Administrative Permit
Planning	\$ 2,000.00
Public Works Department	\$ 404.00
Environmental Health Division	\$ 1,026.00
Water Resources Agency	\$ 907.00
County Counsel	\$ 170.00
Document Management	\$ 20.00
Technology Implementation	\$ 120.00
General Plan Update	\$ 135.21
Sub-Total	\$ 4,782.21
Violation Fee	\$ 4,507.00
Grand Total	\$ 9,289.21

RMA-Building Services, RMA-Public Works, Environmental Health Division, Water Resources Agency, and County Counsel have reviewed the application and fee waiver request. All of the affected County departments concur with the recommendation for denial.

EXHIBIT C
DRAFT RESOLUTION w/
CONDITIONS & SITE PLAN

PLN080041 (CE070339) – Ticar

Planning Commission
August 26, 2009

**EXHIBIT C
DRAFT RESOLUTION**

**Before the Planning Commission in and for the
County of Monterey, State of California**

In the matter of the application of:

TICAR (PLN080041)

RESOLUTION NO.

Resolution by the Monterey County Planning
Commission:

- 1) Categorically exempting this project per Section 15303 (e) of the CEQA Guidelines;
- 2) Approving an after-the-fact Coastal Administrative Permit (to clear CE070339) to allow the conversion of an existing 1,000 square foot accessory structure into an 850 square foot senior unit with a 150 square foot attached storage room with no interior circulation; and
- 3) Denying the waiver of fees.

(PLN080041, Ticar, 950 Dolan Road, North County Coastal Land Use Plan, APN: 131-052-001-000)

The Ticar application (PLN080041) came on for public hearing before the Monterey County Planning Commission on August 26, 2009. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission 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,
 - the North County Coastal Land Use Plan,
 - the North County Coastal Implementation Plan, and
 - the 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 950 Dolan Road, Castroville (Assessor's Parcel Number 131-052-001-000), North County area, Coastal Zone. The parcel is zoned RDR/5 (CZ) [Rural Density Residential, 5 acres per unit (Coastal Zone)], which allows the conversion of accessory structures to senior citizen units with the approval of a Coastal Administrative Permit. Therefore, the project is an allowed land use for this site.

- c) The project planner conducted site inspections on March 27, 2008, to verify that the project on the subject parcel conforms to the plans listed above.
- d) The project was referred to the North County Coastal Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did warrant referral to the LUAC because it involves a land use issue (code enforcement) that necessitates review prior to public hearing. The LUAC, at a public meeting on May 18, 2009, reviewed and unanimously recommended approval of PLN080041. There was no public comment at the LUAC meeting in opposition to the project.
- 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 PLN080041.

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, RMA - Public Works Department, 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 site inspections on March 27, 2008, to verify that the site is suitable for this use.
 - c) 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 PLN080041.

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, RMA - Public Works Department, 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) Necessary public facilities are available. The existing development is, and will continue to be, serviced by an existing onsite well. The well will also serve the senior unit, and a "Family-Only" Water System Exemption form has been provided to EHD and a deed note has been

recorded on the property for the exemption. In addition, each dwelling unit has dual drain-fields separated by a diversion valve, and separate septic tanks that are sized adequately. The setbacks from septic systems to the onsite well conforms to standards. The Environmental Health Division reviewed the project application, and did not impose any conditions.

c) Findings 1, 2, 4, 5, and 6; and supporting evidence for PLN080041.

4. **FINDING:** **NO VIOLATIONS** - The subject property currently has a violation (CE070339), which is related to the conversion of the accessory structure to a habitable unit without required permits. The project, when implemented, will bring the subject property into compliance with all rules and regulations pertaining to the property and will remove the existing violations. In all other respects, 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.

EVIDENCE: a) Staff conducted site inspections on March 27, 2008, and researched County records to assess if any violation exists on the subject property. Planning staff has reviewed the conditions of the site and has determined that necessary corrective measures can be achieved as proposed by the application, and that no additional corrective measures are necessary to bring the property into compliance with all applicable zoning regulations.

b) The proposed project cures an existing violation regarding the conversion of the subject accessory structure into a habitable unit without the required permits (CE070339). When implemented, the project will bring the subject property into compliance with all rules and regulations pertaining to the property and will remove the existing violations.

c) Review of Planning Department and Building Services Department records by staff has concluded that no other code violations exist on the subject property.

d) Zoning violation abatement costs, if any, have been paid. The applicant has paid the fee for the Coastal Administrative Permit, as well as the violation fee.

e) 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 PLN080041.

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 15303(e), categorically exempts the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

b) The project involves the conversion of an existing 1,000 square foot accessory structure into an 850 square foot senior unit with a 150 square foot attached storage room with no interior circulation.

- c) No adverse environmental effects were identified during staff review of the development application during a site visit on March 27, 2008.
- d) See preceding and following findings 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 6, Shoreline Access/Trails, in the North County Coastal 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 PLN080041.
 - e) The project planner conducted a site inspection on March 27, 2008.

7. **FINDING: SENIOR UNIT** – The subject project meets the regulations, standards and circumstances for senior units in accordance with the applicable goals, policies, and regulations of the applicable area plan and zoning codes.

- EVIDENCE:**
- a) That the establishment of the senior unit will not, under the circumstances of the particular application, 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. (Finding No. 3)
 - b) All zoning violation abatement costs, if any, have been paid. (Finding No. 4)
 - c) The subject property upon which the senior unit is to be built is in compliance with all rules and regulations pertaining to zoning uses, subdivisions and any other applicable provisions of this Title. The proposed unit meets all restrictions with regard to square footage, setbacks, and height.
 - d) That adequate sewage disposal and water supply facilities exist or are readily available, as approved by the Director of Environmental Health. (Finding 3, Evidence b)
 - e) That the proposed senior unit will not adversely impact traffic conditions in the area. The RMA-Public Works Department reviewed the proposed project and did not identify any impacts with regard to traffic. The applicant will be required to pay the applicable TAMC fees (Condition No. 8).
 - f) 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 PLN080041.

8. **FINDING:** **FEE WAIVER** – The Planning Commission may waive permit fees when a request does not meet the listed criteria for RMA-Planning Department Director authorized fee waivers as established by the Monterey County Board of Supervisors adopted Fee Waiver Policy of August 29, 2000 (Resolution No. 2000-342).
- EVIDENCE:** a) On May 19, 2009, in conjunction with the application for Planning File No. PLN080041, the applicant submitted a request for waiver or reduction of the associated fees.
- b) The amount of the fees is based on the Monterey County Land Use Fee Schedule, adopted July 1, 2008. The fees for the subject project, in the amount of \$4,782.21, were paid by the applicant at the time of application submittal. In addition, the applicant paid a violation fee of \$4,507.00. The total for all RMA-Planning Department and violation fees is \$9,289.21.
- c) The RMA-Planning Department circulated the fee waiver request to all applicable County departments.
9. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors and not the California Coastal Commission.
- EVIDENCE:** a) Board of Supervisors: Section 20.86.030.A of the Monterey County Zoning Ordinance (Title 20) allows an appeal to be made to the Board of Supervisors by any public agency or person aggrieved by a decision of an Appropriate Authority other than the Board of Supervisors.
- b) Coastal Commission: Section 20.86.080.A of the Monterey County Zoning Ordinance (Title 20). The project is not subject to appeal by/to the California Coastal Commission because it does not involve development meeting the listed criteria.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Planning Commission does hereby:

- A. Categorically exempt this project per Section 15303(e) of the CEQA Guidelines;
- B. Approve an after-the-fact Coastal Administrative Permit (to clear CE070339) to allow the conversion of an existing 1,000 square foot accessory structure into an 850 square foot senior unit with a 150 square foot attached storage room with no interior circulation, 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; and
- C. Deny the waiver of fees.

PASSED AND ADOPTED this 26th day of August, 2009, upon motion of _____, seconded by _____, by the following vote:

AYES:
 NOES:
 ABSENT:
 ABSTAIN:

COPY OF THIS DECISION MAILED TO APPLICANT ON _____.

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 _____.

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND 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 4 years after the above date of granting thereof unless construction or use is started within this period.

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

Project Name: TICAR

File No: PLN080041

Approved by: Planning Commission

APN: 131-052-001-000

Date: August 26, 2009

**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>
RMA - Planning Department						
1.		<p>PD001 - SPECIFIC USES ONLY This after-the-fact Coastal Administrative Permit (PLN080041) clears CE070339 and allows the conversion of an existing 1,000 square foot accessory structure into an 850 square foot senior unit with a 150 square foot attached storage room with no interior circulation. The property is located at 950 Dolan Road, Castroville (Assessor's Parcel Number 131-052-001-000), North County Coastal 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. (RMA-Planning Department)</p>	<p>Adhere to conditions and uses specified in the permit.</p> <p>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.</p> <p>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.</p>	<p>Owner / Applicant</p> <p>RMA - Planning</p> <p>WRA</p> <p>RMA - Planning</p>	<p>Ongoing unless otherwise stated.</p>	

<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.		<p>PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Planning Commission for Assessor's Parcel Number 131-052-001-000 on August 26, 2009. The permit was granted subject to thirteen (13) conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." (RMA-Planning Department)</p>	<p>Obtain appropriate form from the RMA-Planning Department.</p> <p>The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.</p>	<p>Owner / Applicant</p> <p>RMA-Planning</p>	<p>Prior to the issuance of grading and building permits or commencement of use.</p>	
3.		<p>PD004 - INDEMNIFICATION AGREEMENT 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</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>	<p>Owner / Applicant</p>	<p>Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, whichever occurs first and as applicable.</p>	

<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>
		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)				
4.		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.	Owner / Applicant	Prior to building permit final.	
			The lighting shall be installed and maintained in accordance with the approved plan.	Owner / Applicant	Prior to building permit final. / Ongoing	
5.		PD020(B) – DEED RESTRICTION – SENIOR CITIZEN UNIT (COASTAL) The applicant shall record a deed restriction stating the regulations applicable to a Senior Citizen Unit as follows: <ul style="list-style-type: none"> • An attached senior citizen unit shall not exceed 700 square feet. A detached senior citizen unit shall not exceed 850 square feet. • The senior citizen unit shall not be occupied by more than 2 persons, 1 of whom shall be sixty years of age or handicapped. • Not more than 1 senior citizen unit shall be permitted on any lot or parcel. • The senior citizen unit shall conform with all of the zoning and development standards of the zoning district 	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.	
			Proof of recordation of the document shall be submitted to the RMA – Planning Department.	Owner / Applicant	Prior to occupancy or commencement of use.	

<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>
		<p>which governs the lot.</p> <ul style="list-style-type: none"> • The senior citizen unit shall be designed in such a manner as to be visually consistent and compatible with the main residence on site and other residences in the area. • One (1) usable and accessible parking space shall be provided in addition to the parking required for other uses on-site. • Senior citizen units shall not be permitted on lots of less than two acres if located in an area not served by public sewer systems. In North County, senior citizen units shall not be permitted on lots of less than five acres if located in an area not served by public sewer systems. • Senior citizen units are not permitted on any lot less than 10 acres where a guesthouse or caretaker unit already exists. Such units may be converted to a senior unit, subject to a Coastal Administrative Permit. • Subsequent subdivisions which divide a main residence from the senior citizen unit shall not be permitted except where lots created meet the minimum lot size and density requirements of the existing zoning. (RMA – Planning Department) 				
6.		<p>PD032(A) - PERMIT EXPIRATION The permit shall be granted for a time period of 4 years, to expire on August 26, 2013, unless use of the property or actual construction has begun within this period. (RMA – Planning Department)</p>	<p>The applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning.</p> <p>Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.</p>	Owner / Applicant	As stated in the conditions of approval	
7.		<p>PD035 - UTILITIES - UNDERGROUND All new utility and distribution lines shall be placed underground. (RMA - Planning Department; Public Works)</p>	Install and maintain utility and distribution lines underground.	Owner / Applicant	Ongoing	

<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>
RMA – Public Works Department						
8.		PWSP001 – TAMC FEES Prior to issuance of building permits, the applicant shall pay the Regional Development Impact Fee (RDIF) pursuant to Monterey County Code, Chapter 12.90. The fee amount shall be determined based on the parameters adopted in the applicable fee schedule. (Public Works)	The applicant shall submit the required fee to the RMA – Public Works Department.	Owner / Applicant	Prior to issuance of building permits.	
Fire Agency (North County Fire Protection District)						
9.		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 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	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or Owner	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. clearance inspection.	Applicant or Owner	Prior to final building inspection.	

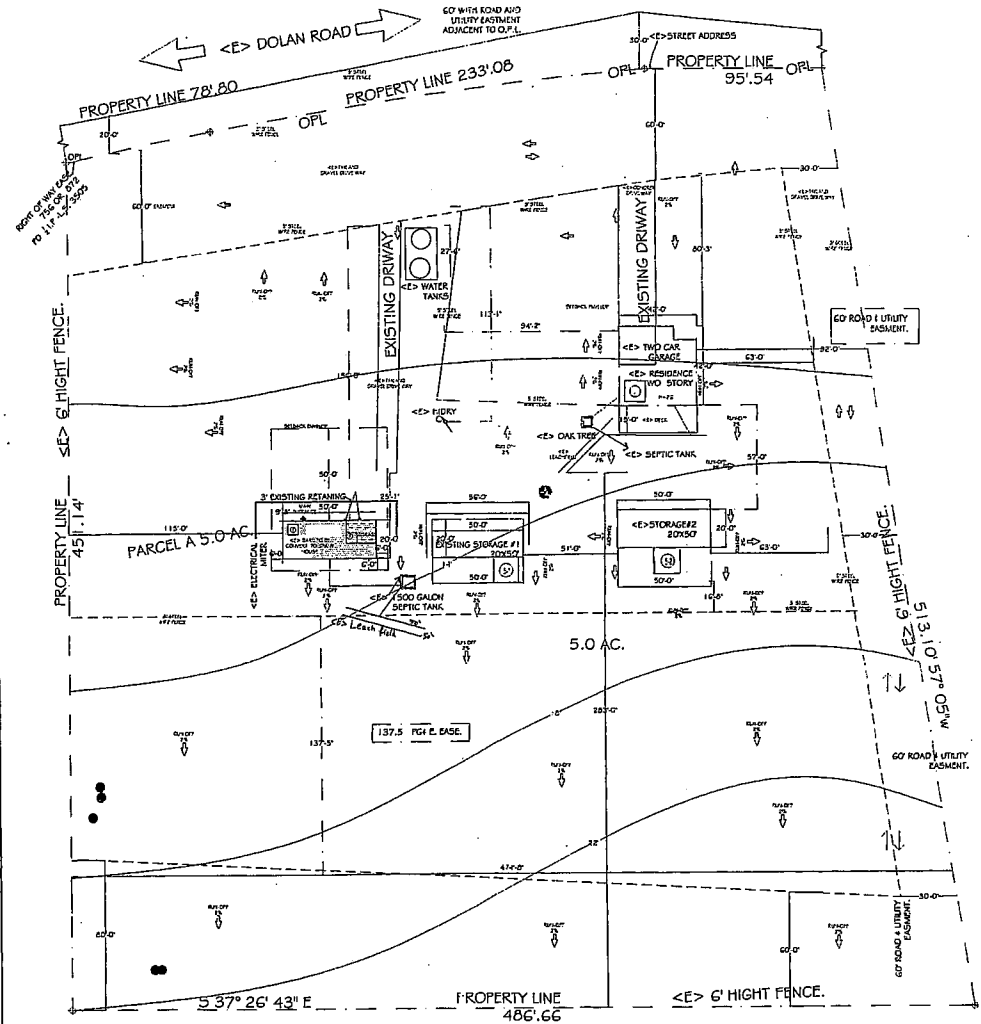
Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>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>				
10.		<p>FIRE011 - ADDRESSES FOR BUILDINGS 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</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 building permit.</p>	
			<p>Applicant shall schedule fire dept. clearance inspection.</p>	<p>Applicant or Owner</p>	<p>Prior to final building inspection.</p>	

<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>
		posted prior to requesting final clearance. (North County Fire Protection District)				
11.		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)	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.	
12.		FIRE025 - SMOKE ALARMS – (SINGLE FAMILY DWELLING) 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 Fire Protection District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or Owner	Prior to issuance of building permit.	
			Applicant shall schedule fire alarm system acceptance test.	Applicant or Owner	Prior to final building inspection.	
13.		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)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or Owner	Prior to issuance of building permit.	

END OF CONDITIONS

PLN 080041

SCOPE OF WORK
 <E> BARN TO BE CONVERTED TO <N> GRANNY HOUSE AND <N> ATTACH STORAGE



SITE PLAN
 1/32" = 1'-0"

KEY NOTES

	<E> RESIDENCE	TOTAL AREA= 1764 Sq.Ft.
	<E> STORAGE	TOTAL AREA= 1000 Sq.Ft.
	<E> STORAGE	TOTAL AREA= 1000 Sq.Ft.
	<E> BARN TO BE CONVERTED TO GRANNY HOUSE.	TOTAL AREA= 650 Sq.Ft.
	<E> STORAGE	TOTAL AREA= 150 Sq.Ft.

SHEET #	CONTENT
A-1	SITE PLAN
A-2	FLOOR PLAN
2-3	E + 37% PLAN
A-4	RIGHT AND LEFT ELEVATION
A-5	BACK AND FRONT ELEVATION

NO TREES REMOVED
 NO GRADING REQUIRED
 WATER SUPPLY THROUGH COMMUNITY TANK

CODES
 ALL WORK SHALL BE IN CONFORMANCE WITH 2007 C.B.C., C.M.C., C.P.C., C.P.C. TITLE #4 2009 CAL. ENERGY CODE REGULATIONS & AUTHORIZED BY STATE OF CALIFORNIA, AND THE CITY OF MONTEREY.

PROJECT DATA:

ZONING	RDNS, COASTAL
DISTRICT OF USE	RESIDENTIAL
OCCUPANCY	R-30-1
TYPE OF CONSTRUCTION	V-H
Lot Coverage	47.64 % 2.27%
LOT SIZE	3 X 3.0 ACRES, 34,711 Sq.Ft.
<E> RESIDENCE	1764 Sq.Ft.
<E> CAR GARAGE	950.3 Sq.Ft.

Floor Ratio 2.5%

REVISIONS BY:
 03-26-08

TEAM DESIGN
 565 S. G. ST. # 3553
 MONTEREY, CA 93940
 TEL: (831) 759-2300
 FAX: (831) 417-1913
 E-MAIL: teamdesignca@hotmail.com

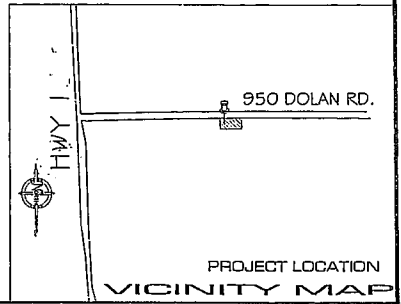
PROPOSED: GRANNY HOME AND <E> ATTACH STORAGE TO BE PERMITTED
 MRS. LUCIA R. TICAR
 CUSTONVILLE, CA 95012

SITE PLAN
 REC. SUBM

RECEIVED

MAY 01 2009
 MONTEREY COUNTY
 PLANNING & BUILDING
 INSPECTION DEPT.

RECEIVED
 MAY 1 2009
 MONTEREY COUNTY
 PLANNING & BUILDING
 INSPECTION DEPT.

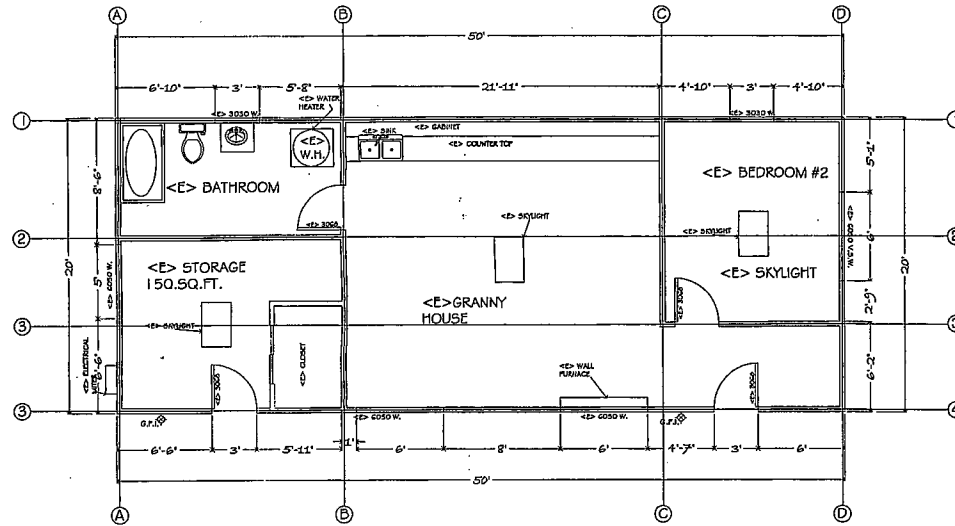


ALL WORK SHALL BE IN CONFORMANCE WITH 2007 C.B.C., C.M.C., C.P.C., C.P.C. TITLE #4 2009 CAL. ENERGY CODE, AND 2004 C.E.C. & AUTHORIZED BY STATE OF CALIFORNIA, AND THE COUNTY OF MONTEREY.

Sheet 1 of 1
 131-092-001-000
 Date: 02-25-2006
 Scale: 1/32" = 1'-0"
 Project: 950 DOLAN RD.
 Sheet: 1 of 1
 A-1
 Sheet: 01

Access Driveways

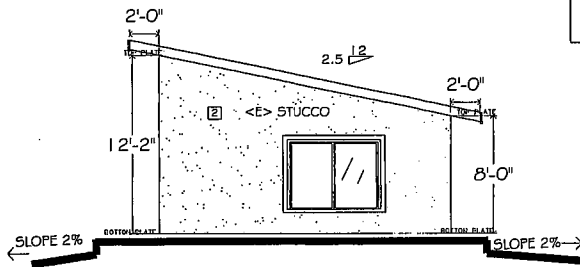
Access driveways shall be all weather driving surface capable of supporting fire apparatus (22 tons) not less than 12 feet of unobstructed width, minimum of 13'6" or 15' 0" vertical clearance, and a maximum 15 percent grade. On driveways and access roads having a slope of 8 percent or more the finish surface shall be A/C pavement or concrete. All turns shall comply with fire dept., standards. A turn around meeting fire dept. standards shall be provided at the end of the driveway.



<E> FLOOR PLAN.
1/4" = 1'

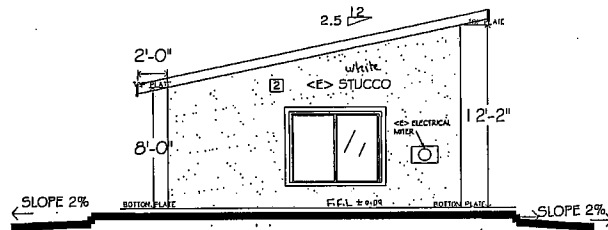
LEGEND	
	<E> WALL

<p>PROPOSED: SENIOR UNIT 650 SQ. FT. STORAGE 150 SQ. FT.</p> <p>FLOOR PLAN</p> <p>ALL WORK SHALL BE IN CONFORMANCE WITH 2007 C.B.C., C.M.C., C.F.C. & C.E.C. 2009 CALIFORNIA CODE, ENFORCED BY STATE OF CALIFORNIA AND THE COUNTY.</p> <p>DATE: 01-17-2008</p> <p>SCALE: 1/4" = 1'-0"</p> <p>SHEET: 950 DOLAN ROAD</p> <p>PROJECT: 950 DOLAN PROJECT</p> <p>SHEET: A-2</p> <p>Sheet 01</p>	<p>TEAM DESIGN</p> <p>P.O. BOX 9553 SUNING CA 95902 TEL: (931) 417-1913 FAX: (931) 417-1913 E-MAIL: teamdesign@hotlmail.com</p>	<p>REVISION</p>
--	---	-----------------



<E>RIGHT ELEVATION
1/4"=1'

- 1 (1) LAYERS OF 15# FELT UNDER ROOFING MATERIAL IF SLOPE IS 1":12 OR GREATER (CBC TABLE 15-B-1, ASPHALT SHINGLE APPLICATION)
- 2 PROVIDE TWO (2) LAYERS OR BUILDING PAPER GRADE "D" WHEN <N> STUCCO IS APPLIED OVER WOOD BASE SHEATHING PER CBC SECTION 2506.4. ALSO, PROVIDE WEEP SCREED AT FOUNDATION PLATE LINE ON ALL STUCCO WALLS A MINIMUM OF 4" ABOVE ANY EXPOSED EARTH OR 2" ABOVE ANY EXTERIOR PAVING PER CBC SECTION AND 2506.5.



<E>LEFT ELEVATION
1/4"=1'

REVISION
04-15-07

ALL WORK SHALL BE IN ACCORDANCE WITH THE 2001 CALIFORNIA BUILDING CODE (CBC) AND THE 2004 CALIFORNIA ELECTRICAL CODE (CEC). THIS SET OF DRAWINGS IS THE PROPERTY OF TEAM DESIGN INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF TEAM DESIGN INC. THE USER OF THESE DRAWINGS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING DEPARTMENT AND OTHER AGENCIES. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION PROVIDED TO TEAM DESIGN INC. AND FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING DEPARTMENT AND OTHER AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING DEPARTMENT AND OTHER AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING DEPARTMENT AND OTHER AGENCIES.

TEAM DESIGN
SALINAS, CA 95301
TEL: (831) 753-2302
FAX: (831) 417-1913
E-MAIL: teamdesign@icloud.com

PROPOSED: GRANNY 833 SQ.FT. STORAGE 166 SQ.FT.
MELITICIA TICAR
950 DOLAN ROAD SALINAS, CA 95312

RIGHT AND LEFT ELEVATION

ALL WORK SHALL BE IN ACCORDANCE WITH THE 2001 CALIFORNIA BUILDING CODE (CBC) AND THE 2004 CALIFORNIA ELECTRICAL CODE (CEC). THIS SET OF DRAWINGS IS THE PROPERTY OF TEAM DESIGN INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF TEAM DESIGN INC. THE USER OF THESE DRAWINGS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING DEPARTMENT AND OTHER AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING DEPARTMENT AND OTHER AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING DEPARTMENT AND OTHER AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING DEPARTMENT AND OTHER AGENCIES.

A.P.N. 131-052-001-000
Form #
Owner Phone #

DATE 01-17-2006

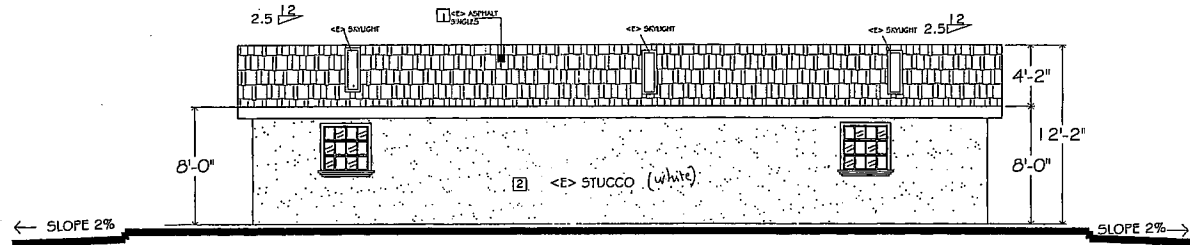
SCALE 1/4" = 1'-0"

950 DOLAN ROAD

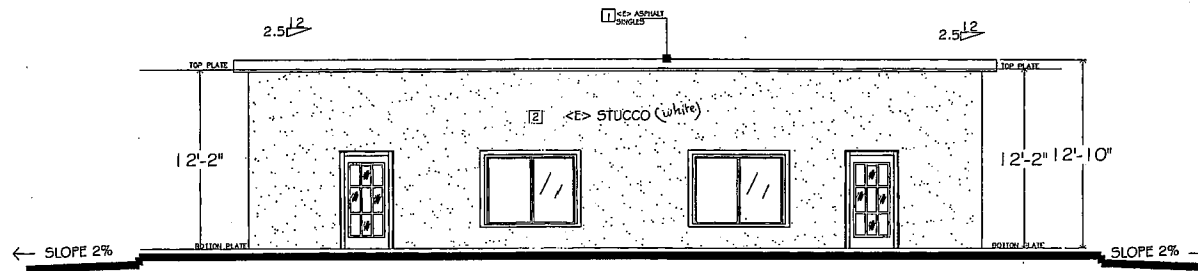
950 DOLAN PROJECT

Sheet
A-4
Sheet OF

- 1 (1) LAYERS OF 15# FELT UNDER ROOFING MATERIAL IF SLOPE IS 1:12 OR GREATER (CBC TABLE 15-B-1, ASPHALT SHINGLE APPLICATION)
- 2 PROVIDE TWO (2) LAYERS OR BUILDING PAPER GRADE "D" WHEN "<H>" STUCCO IS APPLIED OVER WOOD BASE SHEATHING PER CBC SECTION 2506.4. ALSO, PROVIDE WEEP SCREED AT FOUNDATION PLATE LINE ON ALL STUCCO WALLS A MINIMUM OF 4" ABOVE ANY EXPOSED EARTH OR 2" ABOVE ANY EXTERIOR PAVING PER CBC SECTION AND 2506.5.



<E>BACK ELEVATION
1/4" = 1'



<E>FRONT ELEVATION
1/4" = 1'

REVISION

04-10-07

ALL WORK SHALL BE IN CONFORMANCE WITH 2001 C.C.C. C.M.E., C.P.C., C.F.C., 2000 CA. ENERGY CODE, AND 2004 C.C.P. AUTHORIZED BY STATE OF CALIFORNIA AND THE CITY OF SALINAS.

TEAM DESIGN
SALINAS CA, 95901
TEL: (831) 755-2302
FAX: (831) 747-1915
E-MAIL: teamdesign@att.net

PROPOSED: GRANNY 633 SQ. FT. STORAGE 166 SQ. FT. UTILITY CAR. 950 DOLAN ROAD SALINAS, CA 95912

ELEVATIONS

PROJECT # 131-052-001-000

Owner Phone # 01-17-2000

SCALE 1/4" = 1'-0"

950 DOLAN ROAD SALINAS, CA 95912

Sheet A-5

Sheet 01

EXHIBIT D
VICINITY MAP

PLN080041 (CE070339) – Ticar

Planning Commission
August 26, 2009




NORTH COUNTY



APPLICANT: TICAR

APN: 131-052-001-000

FILE # PLN080041

 300' Limit  2500' Limit  City Limits

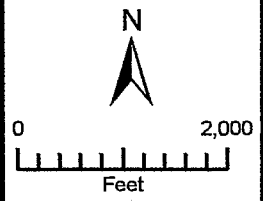


EXHIBIT E
ADVISORY COMMITTEE MINUTES

PLN080041 (CE070339) – Ticar

Planning Commission
August 26, 2009

Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Planning Department
168 W Alisal St 2nd Floor
Salinas CA
(831) 755-5025

Advisory Committee: North County Coastal

Please submit your recommendations for this application by **May 18, 2009**

Project Name: TICAR LETICIA P

File Number: PLN080041

File Type: PC

Project Planner: SIDOR

Project Location: 950 DOLAN ROAD CASTROVILLE

Project Description: AFTER THE FACT COASTAL ADMINISTRATIVE PERMIT TO CLEAR CE070339 TO ALLOW THE CONVERSION OF AN EXISTING 1,000 SQUARE FOOT ACCESSORY STRUCTURE INTO A 850 SQUARE FOOT SENIOR UNIT WITH A 150 SQUARE FOOT ATTACHED STORAGE ROOM WITH NO INTERIOR CIRCULATION. THE PROJECT IS LOCATED AT 950 DOLAN ROAD, MOSS LANDING (ASSESSOR'S PARCEL NUMBER 131-052-001-000), NORTH COUNTY LAND USE PLAN, COASTAL ZONE.

Was the Owner/Applicant/Representative Present at Meeting? Yes No
MRS TICAR WAS PRESENT. JOE SIDOR DESCRIBED THE PROJECT AND SAID THERE ARE NO KNOW CODE ISSUES, ACREAGE WAS ADEQUATE, IT WAS WITHIN THE SERVICE AREA OF THE SALINAS VALLEY WATER PROJECT AND ALTHOUGH THE APPLICATION WAS MADE AFTER THE CONSTRUCTION, FEES AND FINES HAVE BEEN PAID

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
EVANS ASKED IF THE BUILDING IS CURRENTLY OCCUPIED. BURCH WANTED TO KNOW WHEN IT WAS COMPLETED.		IT IS JUST OVER A YEAR AGO.
BURCH ASKED IF APPLICATION HAD FOLLOWED FROM BEING RED TAGGED.		NO.
JOE SIDOR EXPLAINED THAT AS SOME ROOF REPAIR WAS PLANNED THE FEES AND FINES WERE PAID TO COMPLY WITH REQUIREMENTS FOR APPLICATION.		

ADDITIONAL LUAC COMMENTS

IT WAS REVEALED THAT THE PRESENT OCCUPANT MAY NOT IN FACT BE A SENIOR CITIZEN. THIS APPLICATION BEING FOR A SENIOR UNIT THERE MAY BE A PROBLEM. MR SIDOR WILL LOOK INTO THIS

RECOMMENDATION :

Motion by GREG BURCH (LUAC Member's Name)

Second by PETER NOWAK (LUAC Member's Name)

- Support Project as proposed
- Recommend Changes (as noted above)
- Continue the Item

Reason for Continuance: _____

Continued to what date: _____

AYES: (4) EVANS NOWAK CENTENO BURCH

NOES: (0)

ABSENT: (1) WALKER

ABSTAIN: (0)

EXHIBIT F
PROJECT CORRESPONDENCE

PLN080041 (CE070339) – Ticar

Planning Commission
August 26, 2009

Leticia P. Ticar
950 Dolan Rd.
Castroville, CA 95012
(831)633-6045
(831)915-0064

Monterey County Planning Department
168 W. Alisal St, Second Floor
Salinas, CA 93901

File Number PLN 080041

May 16, 2009

To whom it may concern:

I am writing in regards to the fees I am charged by the county. Last month, I submitted a request for a fee waiver and was denied due to the amount of my income. I am respectfully requesting that my fees be reduced. The numbers may reflect an amount that suggests I am financially able. I am a senior citizen and my monthly and medical expenditures were not factored into the equation. Due to the nature of this building's conversion to meet county codes, I have to incur debt to afford this project. In reducing my fees, I will be able to incur less debt and it would cause me less of a financial strain. I ask you to please reduce my fees, in doing so; I would be able to redirect that amount toward the project versus incurring debt to accomplish bringing this building up to code. Thank you for your consideration.

Sincerely,

Leticia P. Ticar
Leticia P. Ticar

RECEIVED

MAY 19 2009

MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

EXHIBIT G
FEE WAIVER POLICY

PLN080041 (CE070339) – Ticar

Planning Commission
August 26, 2009

*Before the Board of Supervisors in and for the
County of Monterey, State of California*

Resolution 2000- 342

Resolution Amending the Monterey)
County Master Fee Resolution to)
Clarify the Fee for Appeals on)
Land Use Issues and Establish)
Criteria for the Waiver of Fees in)
Specific Circumstances.)

Whereas: Chapter 1.40 of the Monterey County Code establishes the Monterey County Master Fee Resolution (the Resolution) as the vehicle for setting and amending fees; and,

Whereas: The Board wishes to clarify the appeal fee for land use issues and to establish criteria and authority for the Director of Planning and Building Inspection to waive fees in specific cases; and,

Whereas: The Board has received a report and recommendations from the County Administrative Office and Planning and Building Inspection; and,

Whereas: The Board has held a public hearing as required by law and heard from all interested parties;

NOW, therefore, be it resolved that the Board clarifies that the appeal fee for appeals to the Planning Commission or Board of Supervisors on land use issues is \$671.00.

Be it further resolved that the Director of Planning and Building Inspection may waive application and appeal fees for discretionary permit and building permit applications for:

1. Small day care centers (less than twelve children).
2. Inclusionary portions of proposed residential developments.
 - a. Special Handling affordable housing projects, as detailed in the adopted Special Handling criteria (25% affordable housing). Amount of fees waived is based on the percentage of affordable housing provided, and may include additional fees beyond the original application fees.
 - b. Persons age 62 or over on a fixed, very low income as defined by Housing and Urban Development.

- c. Reclassification applications to bring property into consistency with existing General Plan land use designations.
 - d. County or other government agencies.
 - e. Permit fees for the repair or reconstruction of property and structures damaged or destroyed by an act or event that has been declared a disaster by the Board of Supervisors where insurance is inadequate to pay the applicable fees.
8. Development, enhancement, expansion or modification of needed community facilities by non-profit organizations and community groups meeting the following criteria:
 - a. The proposed project is available for use by the general public; and
 - b. Provides a scope of benefit beyond the residents of the immediate vicinity; and,
 - c. Is of obvious public benefit. Evidence of public benefit includes, but is not limited to, projects that:
 - i. Meet a public need previously identified or recognized by the Board of Supervisors;
 - ii. Provide a public facility not presently available in the community;
 - iii. Have generated obvious, substantial community support; or,
 - iv. Would either reduce County costs or increase County revenue.
 9. General Plan amendments for parcels with inappropriate or inaccurate land use designations provided the property has been field checked and verified that it is inaccurately or inappropriately designated.

Requests Not Conforming to Policy:

The Planning Commission shall consider all requests for fee waivers not meeting the above criteria.

Appeal of Director's Decision:

The Planning Commission shall consider all appeals of decisions of the Director on fee waiver requests.

Payment of Fees:

All fees shall be paid at the time of the filing an application or an appeal. Should the fees subsequently be waived, the fees shall be refunded.

On motion of Supervisor PENNYCOOK, seconded by Supervisor SALINAS, and carried by those members present, the Board hereby adopts this resolution amending the Monterey County Master Fee Resolution to clarify the fee for appeals on land use issues and establish criteria for the waiver of fees in specific circumstances.

PASSED AND ADOPTED this 29th day of August, 2000, by the following vote, to-wit:

AYES: Supervisors Salinas, Pennycook and Calcagno.

NOES: None.

ABSENT: Supervisors Johnsen and Potter.

I, SALLY R. REED, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof at page -- of Minute Book 70, on August 29, 2000.

DATED: August 29, 2000

SALLY R. REED, Clerk of the Board
of Supervisors, County of Monterey, State of
California

By: 
Deputy