

## MONTEREY COUNTY PLANNING COMMISSION

<b>Meeting:</b> September 9, 2009    Time: 9:30 A.M.		<b>Agenda Item No.:</b> 3
<b>Project Description:</b> Request for the extension of Use Permit PC05051 (PC Resolution No. 94056) for the Riotto Mobile Home Park to continue the use of the legal non-conforming mobile home park consisting of four (4) mobile home spaces.		
<b>Project Location:</b> 45900 Arroyo Seco Road, Greenfield		<b>APN:</b> 419-351-010-000
<b>Planning File Number:</b> PLN090141		<b>Owner:</b> James S. & Lavenia P. Riotto Trust
<b>Planning Area:</b> Central Salinas Valley Area Plan		<b>Flagged and staked:</b> No
<b>Zoning Designation:</b> "RG/10" [Rural Grazing with a maximum gross density of 10 acres per unit]		
<b>CEQA Action:</b> Categorically Exempt per Section 15301 (Existing Facilities)		
<b>Department:</b> RMA - Planning Department		

### RECOMMENDATION:

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

- 1) Find the project Categorically Exempt from CEQA per Section 15301 (Existing Facilities); and
- 2) Approve extension of Use Permit (Riotto Trust/PLN090141), based on the findings and evidence and subject to the conditions of approval (**Exhibit B**).

### PROJECT OVERVIEW:

#### Description and Background

On March 11, 2009, James and Lavenia Riotto applied for the timely extension of their Use Permit for a legal non-conforming 4-space mobile home park at a 3.5 acre parcel, located at 45900 Arroyo Seco Road, Greenfield. The property fronts on Arroyo Seco Road and it is west of the intersection of Arroyo Seco Road and Carmel Valley Road. Continuing the legal-non conforming mobile home park use is subject to a Use Permit pursuant to Monterey County Code Sections 21.36.050.E and 21.68.020.C. The mobile home park was originally approved in 1973 and has received three subsequent extensions. The last extension was approved by the Planning Commission on April 13, 1994 for a term of 15 years, expiring in 2009. The Planning File Number for this last extension is PC05051 with corresponding Planning Commission Resolution No. 94056 (See **Exhibit D**).

#### Legal Non-Conforming Status

When the mobile home park was established in 1973, the zoning at that time was "Unclassified", which allowed mobile home parks, subject to a Use Permit. The parcel's zoning changed in 1993 (Board of Supervisors Ordinance No. 3710) to its current zoning of Rural Grazing (RG). The Rural Grazing zoning designation does not allow mobile home parks, consequently making the mobile home park a legal non-conforming use. Per Sections 21.36.050.E and 21.68.020.C, the legal non-conforming use may be changed to a similar or more restricted use, subject to a Use Permit.

#### Discrepancy Found with Old Permits

With the assistance of the applicants, Planning staff found a discrepancy with the former Use Permits. The mobile home park was mistakenly depicted as being sited over two lots of record: APN 419-351-009-000 and APN 419-351-010-000. In actuality, the location of the mobile home park is only on one lot of record (APN 419-351-010-000). The site plan (See **Exhibit B-2**) makes this clarification.

Because of this prior mistake, the former Use Permits allowed a 5-space mobile home park. The site plans on the former Use Permits show 4 allowed mobile home spaces on APN 419-351-010-000 and 1 mobile home space on APN 419-351-009-000. APN 419-351-009-000 is not part of the mobile home park. It is important to make the distinction that the mobile home park is for up to 4 mobile home units because currently the subject property has a permitted "local small water system" approved by the Environmental Health Department. An additional mobile home unit (5 mobile units) would require an amended water system permit for a "state small water system". In addition, the mobile home park has a suitable septic and leachfield area, inspected and approved by the Environmental Health Department, for up to 4 mobile home units. The proposal is to continue the mobile home park on APN 419-351-010-000 as a 4-space mobile home park.

Recommendation from State and County Agencies/Departments

Through the inter-department review process, Planning staff has corresponded with all involved County and State Departments, including the State of California Housing and Community Development. All contacted Departments and Agencies have recommended approval of the Use Permit Extension. State Field Inspector, Michael Wade informed the Planning staff that the Riotto Mobile Home Park has been in compliance throughout the years and has a current State of California HCD Annual Permit to Operate (See **Exhibit E**).

Conclusion

The applicants applied and were granted a fee waiver for the Use Permit extension by the Director of Planning, pursuant to the Board of Supervisors adopted Fee Waiver Policy (Item No. 4-Persons age 62 or over on a fixed, very low income as defined by HUD).

Staff finds that the project is Categorically Exempt from CEQA per Section 15301 (Existing Facilities). The project would allow the continuation of use for a 4-space mobile home park at this location. Although two mobile homes currently exist on the property, County and State agencies have analyzed the project and concluded that the property has the proper services for up to 4 mobile home units.

No unusual circumstances, unresolved issues or adverse environmental impacts were identified during the project review. No verbal or written comments were received within the public noticing period. Therefore, staff is recommending a new 15-year term extension on this Use Permit.

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

- ✓ RMA-Public Works Department
- ✓ RMA-Building Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency
- ✓ Agricultural Commissioners Office
- ✓ CDF-South County Fire Protection District
- ✓ State of California Housing and Community Development

Agencies that submitted comments are noted with a check mark ("✓"). Conditions recommended by the RMA-Planning Department and the CDF-South County Fire Protection District have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached as Exhibit 1 to the draft resolution (**Exhibit B**).

The project was not referred to a Land Use Advisory Committee because no advisory committee exists for this area of the County.

Note: The decision on this project is appealable to the Board of Supervisors.

/S/ Nadia Amador



Nadia Amador, Associate Planner  
(831) 755-5114, amador@co.monterey.ca.us  
August 19, 2009

cc: Front Counter Copy; Planning Commission; CDF-South County Fire Protection District; Public Works Department; Environmental Health Division; Water Resources Agency; Agricultural Commissioners Office; State of California Housing and Community Development; John Ford, Planning Services Manager; Nadia Amador, Project Planner; Carol Allen, Senior Secretary; James S. & Lavenia P. Riotta Trust, Owners; Planning File PLN090141.

Attachments:	Exhibit A	Project Data Sheet
	Exhibit B	Draft Resolution, including: 1. Conditions of Approval 2. Site Plan
	Exhibit C	Vicinity Map
	Exhibit D	Planning Commission Resolution No.94056 (Planning File No. PC05051)
	Exhibit E	State of California HCD Annual Report to Operate, Park ID No. 27-0217-MP

This report was reviewed by John Ford, Planning Services Manager.





# EXHIBIT A

## PROJECT DATA SHEET

**Exhibit A**  
**Project Information for (PLN090141)**

<b>Project Title:</b> James and Lavenia Riotta, Trust	<b>Primary APN:</b> 419-351-010
<b>Location:</b> 45900 Arroyo Seco Rd, Greenfield	<b>Coastal Zone:</b> No
<b>Applicable Plan:</b> Central Salinas Valley Area Plan	<b>Zoning:</b> RG/10
<b>Permit Type:</b> Use Permit Extension	<b>Plan Designation:</b> Rural Grazing
<b>Environmental Status:</b> Exempt	
<b>Advisory Committee:</b> N/A	

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**Project Site Data:**

<b>Lot Size:</b> 3.5 Acres	<b>Coverage Allowed:</b> 5%
<b>Existing Structures (sf):</b> N/A	<b>Coverage Proposed:</b> Less than 5%
<b>Proposed Structures (sf):</b> N/A	<b>Height Allowed:</b> 35 Feet
<b>Total Square Feet:</b> N/A	<b>Height Proposed:</b> N/A
	<b>FAR Allowed:</b> N/A
	<b>FAR Proposed:</b> N/A

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**Resource Zones and Reports**

<b>Environmentally Sensitive Habitat:</b> NO	<b>Soils/Geo. Report #:</b> N/A
<b>Botanical Report #:</b> N/A	<b>Geologic Hazard Zone:</b> Relative Unstable Uplands
<b>Forest Mgt. Report #:</b> N/A	<b>Geologic Report #:</b> N/A
<b>Archaeological Sensitivity Zone:</b> High	<b>Traffic Report #:</b> N/A
<b>Archaeological Report #:</b> N/A	
<b>Fire Hazard Zone:</b> High, Very High	

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**Other Information:**

<b>Water Source:</b> Water System	<b>Sewage Disposal (method):</b> Septic
<b>Water District/Company:</b> Arroyo Seco Road Water System No. 5	
<b>Fire District:</b> CDF-So. Co.	

# EXHIBIT B

## DRAFT RESOLUTION, INCLUDING:

1. CONDITIONS OF APPROVAL
2. SITE PLAN

**EXHIBIT B  
DRAFT RESOLUTION**

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

In the matter of the application of:

James S. & Lavenia P. Riotto Trust (PLN090141)

**RESOLUTION NO.**

Resolution by the Monterey County Planning  
Commission:

- 1) Find the project Categorically Exempt from CEQA per Section 15301 (Existing Facilities); and
- 2) Approve the extension for the Riotto Mobile Home Park Use Permit to continue the use of the legal non-conforming mobile home park consisting of four (4) mobile home spaces.  
(PLN090141, James S. & Lavenia P. Riotto Trust, 45900 Arroyo Seco Road, Greenfield, Central Salinas Valley Area Plan (APN 419-351-010-000))

**The Use Permit application (PLN090141) came on for public hearing before the Monterey County Planning Commission on September 9, 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 Central Salinas Valley Area Plan,
  - the Central Salinas Valley Area Plan Inventory and Analysis,
  - Monterey County Zoning Ordinance (Title 21)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 45900 Arroyo Seco Road, Greenfield (Assessor's Parcel Number 419-351-010-000), Central Salinas Valley Area Plan. The parcel is zoned "RG/10" or Rural Grazing with a maximum gross density of 10 acres per unit, which allows, subject to a Use Permit, continuing the use of the legal non-conforming Riotto Mobile Home Park, pursuant to Monterey County Code Section 21.36.050.E.  
c) The project is consistent with Chapter 21.68, Legal Non-Conforming



Uses of the Monterey County Ordinance Title 21, specifically with Section 21.68.020.C. The Riotto Mobile Home Park was established legally with a Use Permit in 1973, the zoning at that time was "Unclassified", which allowed mobile home parks, subject to a Use Permit. The parcel's zoning changed in 1993 (per Board of Supervisors Ordinance No. 3710) to its current zoning of Rural Grazing (RG). The Rural Grazing zoning designation does not allow mobile home parks, making the mobile home park a legal non-conforming use.

- d) The Riotto Mobile Home Park was originally approved on November 14, 1973 pursuant to Planning Commission Resolution No. 73-378 (Planning File No. PC-1757) and has been granted 3 extensions. The original approval had an expiration date of November 14, 1978. The first extension to the Riotto Mobile Home Park was granted on October 11, 1978 pursuant to Planning Commission Resolution No. 78-619 (Planning File No. PC-3391) with a term date of November 14, 1984. The second extension was granted on May 9, 1984 pursuant to Planning Commission Resolution No. 84-114 (Planning File No. PC-5051) with a term date of May 9, 1994. The third extension was granted on April 13, 1994 pursuant to Planning Commission Resolution No. 94056 (Planning File No. PC-05051) with a term date of April 13, 2009.
- e) The project is consistent with Monterey County Code Section 21.74.110 *Extension of Use Permits*. The applicants submitted written request of the extension for the mobile home park to the RMA-Planning Department on March 11, 2009, 30 days prior to the expiration of their Use Permit.
- f) The applicants applied and were granted a fee waiver for the Use Permit extension by the Director of Planning, pursuant to the Board of Supervisors Fee Waiver Policy adopted on August 29, 2000 (Item No. 4-*Persons age 62 or over on a fixed, very low income as defined by HUD*).
- g) A discrepancy with the former Use Permits (PC-1757, PC-3391, PC-5051 and PC-05051) was found. The mobile home park was mistakenly cited over two lots of record: APN 419-351-009-000 and APN 419-351-010-000. In actuality, the location of the mobile home park is only on one lot of record (APN 419-351-010-000). The site plan attached herein makes this clarification. Because of this prior mistake, the former Use Permits allowed a 5-space mobile home park. The site plans on the former Use Permits show 4 allowed mobile home spaces on APN 419-351-010-000 and 1 mobile home space on APN 419-351-009-000. APN 419-351-009-000 is not part of the mobile home park. It is important to make the distinction that the mobile home park is for up to 4 mobile home units because currently the subject property has a permitted "local small water system" approved by the Environmental Health Department. An additional mobile home unit (5 mobile units) would require an amended water system permit for a "state small water system". Therefore, the proposal is to continue the mobile home park on APN 419-351-010-000 as a 4-space mobile home park.
- h) The conditions of approval for the previous extension (PC-05051, PC Resolution No. 94056) have been satisfied.
- i) The project planner conducted a site inspection on April 27, 2009 to verify that the project on the subject parcel conforms to the plans listed

above.

- j) The project was not referred to a Land Use Advisory Committee (LUAC) for review because no LUAC exists for this area of the County.
- k) 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 PLN090141.

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, RMA-Public Works, RMA-Building Department, CDF-South County Fire Protection District, Environmental Health Division, Water Resources Agency, Agricultural Commissioner, State of California Housing and Community Development Department. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
  - b) Staff conducted a site inspection on April 27, 2009 to verify that the site is suitable for this use.
  - c) No physical changes are proposed with the Riotto Mobile Home Park extension request.
  - d) The Riotto Mobile Home Park is currently and will be continued to be served by the Arroyo Seco Road Water System No. 5, approved by the Environmental Health Department for up to 4 connections.
  - e) The mobile home park has a suitable septic and leachfield area, inspected and approved by the Environmental Health Department, for up to 4 mobile home units.
  - f) Condition No. 3 (see Exhibit B-1 of September 9, 2009 staff report) allows the extension permit be granted for a period of 15 years from the date of permit extension approval. This would ensure that the mobile home park be re-evaluated within 15 years by local County agencies/departments.
  - g) Condition No. 7 (see Exhibit B-1 of September 9, 2009 staff report) requires that the applicant maintain a valid State of California Housing and Community Development (HCD) Permit.
  - 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 PLN090141.

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 the RMA - Planning Department, RMA-Public Works, RMA-Building Department, CDF-South County Fire

Protection District, Environmental Health Division, Water Resources Agency, Agricultural Commissioner, State of California Housing and Community Development Department. 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 for the Riotto Mobile Home Park for up to 4 mobile home units. (See Finding 2, Evidence d and e).
- c) Preceding findings and supporting evidence for PLN090141.

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 April 27, 2009 and researched County records to assess if any violation exists on the subject property.
  - c) There are no known violations on the subject parcel.
  - d) The conditions of approval for the previous extension (PC-05051, PC Resolution No. 94056) have been satisfied.
  - 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 PLN090141.

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 categorically exempts existing facilities.
  - b) The project is for the extension of the 4 unit space Riotto Mobile Home Park. The park was originally established in 1973 and has received three previous extensions. No physical changes are proposed with this extension request. The project site is suitable and has the services for up to 4 mobile home spaces (See Finding 2, Evidence d and e).
  - c) No adverse environmental effects were identified during staff review of the development application during a site visit on April 27, 2009.
  - d) See preceding and following findings and supporting evidence.

6. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.

- EVIDENCE:**
- a) Section 21.80.040.D Monterey County Zoning Ordinance.

### DECISION

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

- A. Find the project Categorically Exempt from CEQA per Section 15301 (Existing Facilities);
- B. Approve the extension of the Use Permit for the Riotto Mobile Home Park (PLN090141), 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 9th day of September, 2009 upon motion of \_\_\_\_\_, seconded by \_\_\_\_\_ by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Mike Novo, Secretary

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 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. 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.
- 2. This permit expires 15 years after the above date of granting thereof. An extension request shall be requested in writing at least 30 days prior to the expiration of the Use Permit.

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

Project Name: Riotto  
 File No: PLN090141 APN: 419-351-010-000  
 Approved by: Planning Commission Date: September 9, 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>
<b>RMA – Planning Department</b>						
1.		<p><b>PD001 - SPECIFIC USES ONLY</b>            This Use Permit (PLN090141) extension allows the Riotto Mobile Home Park to continue the use of the legal non-conforming mobile home park consisting of four (4) mobile home spaces. The property is located at 45900 Arroyo Seco Road, Greenfield (Assessor’s Parcel Number 419-351-010-000), Central Salinas Valley Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. 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></p>	<p>Adhere to conditions and uses specified in the permit.</p>	Owner/ Applicant	Ongoing unless otherwise stated	
			<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>	RMA - Planning		
			<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>	WRA  RMA - Planning		

<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.		<b>PD002 - NOTICE-PERMIT APPROVAL</b> The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Planning Commission for Assessor's Parcel Number 419-351-010-000 on September 9, 2009. The permit was granted subject to 7 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>	Obtain appropriate form from the RMA-Planning Department.  The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.	Owner/ Applicant  RMA- Planning	Prior to the issuance of grading and building permits or commencement of use.	
3.		<b>PDSP001 - PERMIT EXPIRATION (NON-STANDARD)</b> The permit shall be granted for a time period of 15 years, to expire on September 9, 2024. <b>(RMA – Planning Department)</b>	Should the owner/applicant wish to renew their Use Permit, the applicant shall submit to the RMA-Planning Department, a written request of the extension of their Use Permit at least 30 days prior to the expiration date of September 9, 2024.	Owner/ Applicant	As stated in the conditions of approval	
4.		<b>PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT</b> If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. <b>(RMA - Planning Department)</b>	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner/ Applicant/ Archaeo- logist	Ongoing	

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)
5.		<p><b>PD004 - INDEMNIFICATION AGREEMENT</b>  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. <b>(RMA - Planning Department)</b></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	Upon demand of County Counsel or concurrent with the issuance of building permits or use of the property, whichever occurs first and as applicable.	

<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>
6.		<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. <b>(RMA - Planning Department)</b>	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.	
<b>CDF-South County Fire Protection District</b>						
7.		<b>FIRESP001 – MAINTENANCE OF A VALID HCD PERMIT (NON-STANDARD)</b> The applicants shall maintain a valid State of California Housing and Community Development (HCD) Permit. <b>(CDF-South County Fire Protection District)</b>	The applicants shall maintain a valid State of California Housing and Community Development (HCD) Permit. If the HCD permit lapses, the Use Permit shall be considered revoked.	Owner/ Applicant	Ongoing	

END OF CONDITIONS

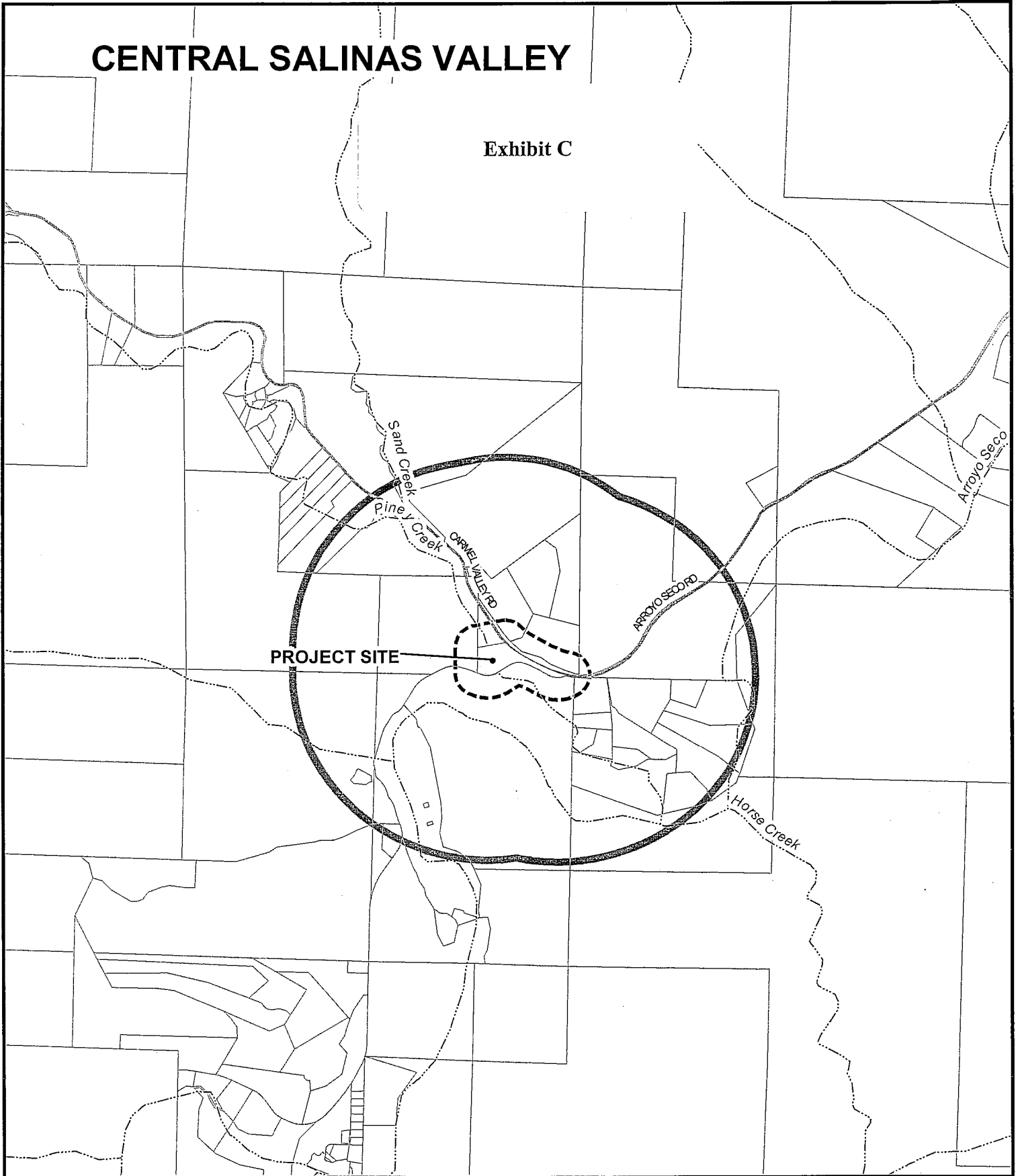


# EXHIBIT C

## VICINITY MAP

# CENTRAL SALINAS VALLEY


## Exhibit C




APPLICANT: RIOTTO

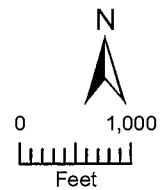
APN: 419-351-010-000

FILE # PLN090141

 300' Limit

 2500' Limit

 City Limits



PLANNER: AMADOR

# EXHIBIT D

PLANNING COMMISSION  
RESOLUTION NO. 94056  
(PLANNING FILE NO. PC05051)

## Exhibit D

PC05051

PLANNING COMMISSION  
COUNTY OF MONTEREY, STATE OF CALIFORNIA

RESOLUTION NO. 94056

A.P. # 419351009000;  
419351010000

### FINDINGS AND DECISION

In the matter of the application of James & Lavenia Riotto (PC05051) for a Use Permit in accordance with Title 21 (Zoning) Chapter 21.74 (Use Permits) of the Monterey County Code, to allow an extension of Use Permit to allow a mobile home park, 5 spaces, located on a portion of Assessor's Subdivision 3 and 5, Section 21, Township 19 South, Range 5 East, Arroyo Seco area, fronting on Carmel Valley Road and Arroyo Seco Road, 45900 Arroyo Seco Road, came on regularly for hearing before the Planning Commission on April 13, 1994.

Said Planning Commission, having considered the application and the evidence presented relating thereto,

1. **FINDING:** This extension request for the Riotto Mobile Home Park is consistent with the Central Salinas Valley Area Plan and the Monterey County General Plan.  
**EVIDENCE:** The subject mobile home park is a legal non-conforming use established under the Unclassified District.
2. **FINDING:** That the granting of this extension request will not create a significant environmental effect and the Negative Declaration May 18, 1984 is still adequate.  
**EVIDENCE:** The environmental issues identified in the Initial Study have not changed since the approval of the proposed Use Permit.

### DECISION

THEREFORE, it is the decision of said Planning Commission that said extension be granted subject to the following conditions; Note: Conditions 1 through 7 are original conditions and conditions 8 and 9 added to the extension approval:

1. Perform soil borings and percolation tests as required by the Health Department. (Health Department)
2. Provide water system as required by Health Department. (Health Department)
3. Construct a standard driveway connection to Arroyo Seco Road. (Public Works)
4. That the site be landscaped and fenced by the applicant and that the landscaping and fence plan be approved by the Director of Planning. (Planning and Building Inspection)
5. That all landscaped areas and fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy growing condition. (Planning and Building Inspection)
6. That a water system be installed to provide 100 gallons per minute for a 2 hour duration for fire protection and that hydrants be set up near the trailer sites for fire protection purposes. (Planning and Building Inspection)

7. The two mobile home located within the designated 100-year floodplain shall be anchored in accordance with Monterey County Code 3272, Chapter 16.16. (Water Resources Agency)
8. The property owner agrees as a condition of the approval of this permit to defend at his sole expense any action brought against the County because of the approval of this permit. The property owner will reimburse the County for any court costs and attorneys' 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 any such action; but such participation shall not relieve applicant of his obligations under this condition. Said indemnification agreement shall be recorded upon demand of County Counsel or prior to the issuance of building permits or use of the property, whichever occurs first. (Planning and Building Inspection)
9. Unless extended as provided for by Chapter 21.74.110, Title 21 (Zoning Ordinance) Monterey County Code, this approval expires on April 13, 2009.
10. The applicant shall record a notice which states: 'A permit (Resolution # 94056) was approved by the Monterey County Planning Commission for Assessor's Parcel Numbers 419J51009000 and 419J51010000 on April 13, 1994. The permit was granted subject to 10 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department.' Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. (Planning and Building Inspection Department)

PASSED AND ADOPTED this 13th day of April, 1994, by the following vote:

Ayes: Diaz-Infante, Hawkins, Jimenez, Moore, Orrett, Stallard, Vasquez, Jr.  
Noes: None  
Absent: Errea, Reaves

  
ROBERT STIMMON, JR.  
SECRETARY OF THE PLANNING COMMISSION

Copy of this decision mailed to applicant on MAY 18 1994

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

MAY 28 1994

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

APPROVE REQUEST FROM JAMES AND )  
LAVENIA RIOTTO FOR WAIVER OF )  
THE \$483.00 FILING FEE FOR THE )  
USE PERMIT EXTENSION FOR THEIR )  
FOUR UNIT MOBILE HOME PARK IN )  
THE ARROYO SECO AREA (PC-5051) )

Upon motion of Supervisor Johnsen, seconded by  
Supervisor Karas, and carried by those members  
present, the Board hereby

Approves the request from James and Lavenia Riotto waiving the  
\$483.00 filing fee for the Use Permit Extension for their four  
unit mobile home park (PC-5051)

PASSED AND ADOPTED on this 1st day of March, 1993,  
by the following vote, to-wit:

AYES: Supervisors Salinas, Shipnuck, Perkins, Johnsen & Karas.  
NOES: None.  
ABSENT: None.

I, ERNEST K. MORISHITA, 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 Supervisors duly made and entered in the minutes thereof at  
page     of Minute Book 68, on 3/1/94

Dated: Mar. 1, 1994

ERNEST K. MORISHITA, Clerk of the Board  
of Supervisors, County of Monterey,  
State of California.

By *Ernest Morishita*  
Deputy

# EXHIBIT E

STATE OF CALIFORNIA HCD  
ANNUAL REPORT TO OPERATE,  
PARK ID NO. 27-0217-MP

**Exhibit E**

ANNUAL  
PERMIT TO OPERATE

**STATE OF CALIFORNIA  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF CODES AND STANDARDS**

October 7, 2008

<b>Park ID No.</b>
27-0217-MP

Inc or Unc	Mobilehome Lots With Drains	Recreational Vehicle Lots With Drains	Lots Without Drains	Total Lots
U	4	0	0	4

**OWNER**

JAMES RIOTTO  
6269 WALL LN  
PARADISE, CA 95969

**PARK NAME & ADDRESS**

RIOTTOS MHP  
45900 ARROYO SECO RD  
GREENFIELD, CA 93927

**CONDITIONAL USES**

Fire Hydrant System Status: Number of Lots - Exempt

HCD-1 VERIFIED

**THIS PERMIT EXPIRES October 31, 2009**

**THIS PERMIT IS ISSUED IN ACCORDANCE WITH THE PROVISIONS OF THE CALIFORNIA HEALTH AND SAFETY CODE AND IS SUBJECT TO SUSPENSION OR REVOCATION AS PROVIDED THEREIN. THIS PERMIT IS NOT TRANSFERABLE. THE DEPARTMENT SHALL BE NOTIFIED WITHIN 30 DAYS OF ANY CHANGE OF NAME, OWNERSHIP OR OPERATOR.**

9342 Tech Center Dr, Suite 550  
Sacramento, CA 95826-2581  
(916) 255-2501  
From TDD Phones: 1-800-735-2929  
From Voice Phones: 1-800-735-2922

**POST IN A CONSPICUOUS PLACE**

HCD 503 (Rev 03/2000)