



STAFF REPORT
Monterey County Coastal Administrative Permit
Resource Management Agency - Planning Department
168 W. Alisal St. 2nd Floor, Salinas, CA 93901
(831) 755-5025; FAX (831) 757-9516

Date: January 6, 2012

To: Havstad, George P & Janece L TRS, Property Owners
Granite Drilling Company Inc. , Applicant/Agent

From: Maria Lopez, Land Use Technician (831) 755-5239 *ml*
lopezmd@co.monterey.ca.us

cc: Front Counter Copy; Armonas Tri – County FPD; Public Works; Coastal Commission; Environmental Health Bureau; Water Resources Agency; Maria Lopez, Planner; Luis Osorio, Senior Planner; Havstad, George P & Janece L TRS, Property Owners; Project File PLN100327

Re: Havstad (PLN110526) Coastal Administrative Permit to allow a permanent well previously approved under an Emergency Permit (PLN100327). The property is located at 2135 San Juan Road, Watsonville, (Assessor's Parcel Number: 267-071-003-000), North County Land Use Plan, Coastal Zone.


Location: Assessor's Parcel Number: 267-071-003-000
2135 San Juan Road, Watsonville, CA
North County Land Use Plan

Staff is recommending approval of the Coastal Administrative Permit subject to the findings, evidence and conditions in **Exhibit B**. Please read these carefully and contact the planner if you have any questions. Unless otherwise noted in the conditions, the applicant will be required to satisfy all permit conditions prior to the issuance of a building/grading permits and/or commencement of the approved use.

On January 25, 2012, an administrative decision will be made. A public notice has been distributed for this project. The deadline for submittal of written comments in opposition to the project, its findings, or conditions, based on a substantive issue, is 5:00 p.m. on Tuesday, January 24, 2012. The permit will be administratively approved the following day, if we do not receive any written comments by the deadline. You will receive a copy of your approved permit in the mail. We will notify you as soon as possible in the event that we receive correspondence in opposition to your project or if the application is referred to a public hearing.

Note: This project will be referred to the Monterey County Zoning Administrator, if a public hearing is necessary. The decision on this project is appealable to the Board of Supervisors.

Attachments: Exhibit A Project Data Sheet
Exhibit B Resolution
• Recommended Conditions of Approval
• Site Plan, Floor Plans, and Elevations
Exhibit C Vicinity Map

This report was reviewed by Luis Osorio, Senior Planner 

**EXHIBIT B
DRAFT RESOLUTION**

**Before the Director of the RMA-Planning Department
in and for the County of Monterey, State of California**

In the matter of the application of:

Havstad, George P & Janece L TRS (PLN110526)

RESOLUTION NO. ----

Resolution by the Monterey County Director of the
RMA-Planning Department:

- 1) Finding the project exempt from CEQA per CEQA Guidelines Section 15302(c); and
- 2) Approving a Coastal Administrative Permit to allow a permanent well that was previously approved under an Emergency Permit (PLN100327).

(PLN100526), Havstad, George P & Janece L TRS,
2135 San Juan Road, Watsonville, North County Land
Use Plan (APN: 267-071-003-000)

The George P & Janece L Havstad application (PLN110526) came on for public hearing before the Monterey County Director of the RMA-Planning Department on January 25, 2012. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Director of the RMA-Planning Department 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 1982 Monterey County General Plan;
 - North County Land Use Plan;
 - Monterey County Coastal Implementation Plan Part 2;
 - Monterey County Zoning Ordinance (Title 20);No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
 - b) The property is located at 2135 San Juan Road, Watsonville (Assessor’s Parcel Number: 267-071-003-000), North County Land Use Plan. The parcel is zoned “RDR/5 (CZ)” or Rural Density Residential five acres per unit in the coastal zone, which allows for the replacement of wells with the approval of a Coastal Administrative Permit where no increase in service connections is created. Therefore, the project is an allowed land use for this site.
 - c) The previously existing domestic well failed and ceased to produce

adequate water supply for a single family dwelling. An emergency permit (PLN100327) was applied for and granted to immediately replace the failed domestic well. The replacement well is now the primary source of water for the residence and property. The new well will serve only existing uses and will not result in intensification (North County Land Use Plan Section 2.5.1). The Environmental Health Bureau has recommended a condition of approval (EH8), which requires that the applicant obtain a water well drilling permit prior to the construction of a well with this Coastal Administrative Permit.

- d) All of the conditions of approval from the Emergency Permit (PLN100327) have been met.
- e) Environmental Health staff conducted a site inspection on June 29, 2010 under emergency permit (PLN100327), to verify that the project on the subject parcel conforms to the plans listed above.
- f) No public hearing was held because there was no evidence of public controversy or public opposition to the proposed use. No written request for a public hearing was made.
- g) The project was not referred to the North County 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 not warrant referral to the LUAC because it did not involve CEQA review, public hearing, or any known conflicts.
- 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 PLN110526.

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, Aromas Tri – County Fire Protection District, Public Works, Environmental Health Bureau, and Water Resources Agency and referred to the California Coastal Commission. 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 June 29, 2010 under emergency permit (PLN100327), 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 PLN110526.

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, RMA – Public Works, Environmental Health Bureau, Water Resources Agency, Aromas Tri – County FPD and referred to the California Coastal Commission. 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 and will be provided. The residence is served by an existing septic system and will be served by the replacement well.
 - c) A permit was obtained for the emergency well through the Monterey County Environmental Health Bureau and the well was drilled in conformance to the Emergency Well Permit (PLN100327) within 31 feet from the original well location. The well has enough capacity to provide water for the single family dwelling on the property and meets the applicable requirements of the County Code for the provision of potable water.
 - d) Findings Nos. 1, 2, 3 and supporting evidence for PLN110526.

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 violations any current existing on subject property.
 - b) Staff conducted a site inspection on June 29, 2010 under the emergency permit (PLN100327); the application, materials submitted under this application and researched of County records to assess if any violation exists on the subject property.
 - c) There is one known past code violation on the subject property (CE060390). Remediation action was followed and the case was closed.
 - d) Zoning violation abatement costs, if any, have been paid. A condition is included to assure that all zoning abatement costs, if any, have been paid.
 - 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 PLN110526.

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 15302 (c), categorically exempts the replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.

- b) The project consists of the construction of a replacement of a domestic well for an existing single family dwelling. Therefore, the project is consistent with CEQA exemption under 15302(c).
- c) No adverse environmental effects were identified during review of the development application and during a site visit conducted by Environmental Health Staff for review of the emergency permit (PLN100327) on June 29, 2010.
- d) Exceptions to exemptions listed in Section 15300.2 are inapplicable. The project does not involve a historical resource, a hazardous waste site, development located near or within view of a scenic highway, unusual circumstances that would result in a significant impact, or development in a particularly sensitive environment.
- e) 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 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 PLN110526.
 - e) Based on the site inspection conducted on June 29, 2010 under the emergency permit (PLN100327) and the application and materials submitted under this application it was further determined a second site inspection was not required.

7. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors and not the California Coastal Commission.

- EVIDENCE:**
- a) Per Section 20.86.030(a) Monterey County Zoning Ordinance (Title 20).
An appeal may 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) Per Section 20.86.080 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 between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach, whichever is the greater distance; or development within 300 feet of the top of the seaward face of any coastal bluff; or development involving a conditional use.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Director of the RMA-Planning Department does hereby:

- A. Finds the project exempt from CEQA per CEQA Guidelines Section 15302 (c); and
- B. Approves a Coastal Administrative Permit to allow a permanent well that was previously approved under an Emergency Permit (PLN100327), in general conformance with the attached sketch and subject to the conditions, both exhibits being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 25th day of January, 2012.

Mike Novo, Director of RMA – Planning Department

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

Monterey County Planning Department

DRAFT Conditions of Approval/Mitigation Monitoring Reporting Plan

PLN110526

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning Department

**Condition/Mitigation
Monitoring Measure:**

This Coastal Administrative Permit (PLN110526) allows a permanent well previously approved under an Emergency Permit (PLN100327). The property is located at 2135 San Juan Road, Watsonville, (Assessor's Parcel Number: 267-071-003-000), North County Land Use Plan, Coastal Zone. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled.
(RMA - Planning Department)

**Compliance or
Monitoring
Action to be Performed:**

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning Department

**Condition/Mitigation
Monitoring Measure:**

The applicant shall record a Permit Approval Notice which states: "A Coastal Administrative Permit (Resolution No. 12-007) was approved by the RMA - Director of Planning Department for Assessor's Parcel Number: 267-071-003-000 on January 25, 2012. The permit was granted subject to 3 conditions of approval that run with the land. A copy of the permit is on file with the Monterey County Resource Management Agency - Planning Department. (RMA - Planning Department)

**Compliance or
Monitoring
Action to be Performed:**

Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning Department.

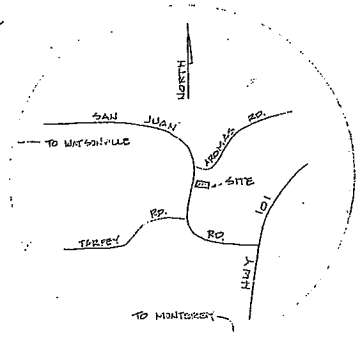
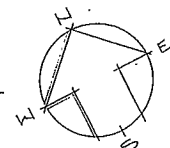
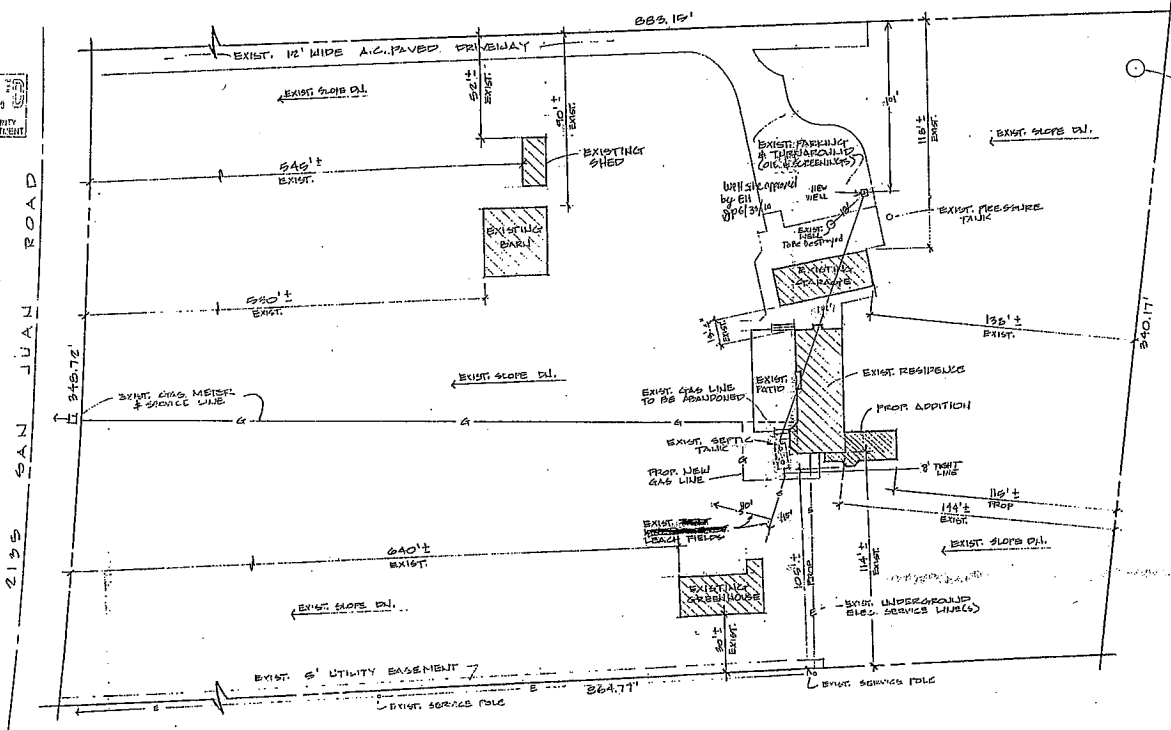
3. PD032(A) - PERMIT EXPIRATION

Responsible Department: Planning Department

**Condition/Mitigation
Monitoring Measure:** The permit shall be granted for a time period of 3 years, to expire on January 25, 2015 unless use of the property or actual construction has begun within this period. (RMA-Planning Department)

**Compliance or
Monitoring
Action to be Performed:** Prior to the expiration date stated in the condition, the Owner/Applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.

JUN 30 2010
 MONSIEUR COUNTY
 PLANNING DEPARTMENT



VICINITY MAP
 NO SCALE

SITE PLAN

1" = 20'
 NOTE: THIS IS NOT A SURVEY. ALL INFORMATION IS TAKEN FROM LOCAL AND/OR ASSUMED DATA.

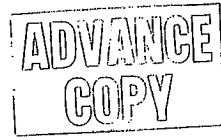
PROJECT INFORMATION

PROPOSED ADDITION AND REMODEL OF AN EXISTING SINGLE FAMILY DWELLING W/ DETACHED GARAGE, BARN, GREENHOUSE AND SHED.
 EXISTING RESIDENCE: SINGLE STORY, FOUR BEDROOMS AND ONE BATH.
 PROPOSED RESIDENCE: SINGLE STORY, THREE BEDROOMS AND TWO BATHS.

GROSS CONDITION FLOOR AREAS:

EXIST. RESIDENCE	1601 SQ. FT.
PROP. GROSS ADDITION	819 SQ. FT.
EXIST. RESIDENCE TO BE REMOVED	20 SQ. FT.
PROP. NET ADDITION	491 SQ. FT.
PROP. TOTAL FLOOR AREA	2172 SQ. FT.
LOT AREA	660 ACRES

HEALTH DEPARTMENT
 JUN 30 2010
 ENVIRONMENTAL HEALTH



GRADING AND DRAINAGE NOTES:
 EXIST. SITE SHOWS NO SIGNS OF DAMAGE DUE TO EXCESSIVE RUNOFF OR ILLUSTRATED. NO GRADING IS PROPOSED.
 ALL RUNOFFER RUNOFF FROM ROOF, ROOF AREAS IS TO BE COLLECTED BY GUTTERS & DOWNSPOUTS TO STORM DRAINS & GRAVE.
 ALL EXISTING SOIL SHALL BE RECONSTRUCTED TO THE ORIGINAL OR BETTER QUALITY CONDITION.

NO NET SCALE PLANS: The dimensions as noted. Builder shall verify all dimensions and inform designer of any discrepancies.
LEGAL: This plan and design are the sole property of TRACY ROBERT JOHNSON. No portion of this plan or design may be reproduced or utilized in any manner without the expressed written permission of Tracy Robert Johnson. All rights are protected.
UNLIMITED CHANGES & USES: The Designer preparing these plans will not be responsible for, or liable for, unanticipated changes to or uses of these plans. All changes to the plans must be in writing and must be approved by the preparer of these plans.
CONSTRUCTION CONTRACTOR: agrees that in accordance with generally accepted construction practices, construction contractor will be required to assume sole and complete responsibility for job site conditions during the course of construction of the project, including safety of all persons and property; that this requirement shall be made to apply continuously and not be limited to normal working hours; and construction contractor further agrees to defend, indemnify and hold design professional harmless from any and all liability, real or alleged, in connection with the performance of work on this project, excepting liability arising from the sole negligence or design professional.

APEN. 267-071-003

OWNERS:
 GEORGE and JAN HANSTAD
 P.O. BOX 609, AROMAS, CA 95004-0609

DELIVERED JUN 17 2010

TRACY ROBERT JOHNSON
 RESIDENTIAL DESIGN AND PLANNING
 WATSONVILLE, CALIFORNIA
 (571) 727-5445

Date 12.10.04
 Scale 1" = 20'
 Drawn Mtbj
 Job 04-001-1
 Sheet
A1
 of 15 sheets

NORTH COUNTY

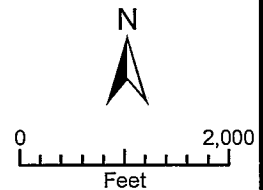


APPLICANT: HAVSTAD

APN:267-071-003-000

FILE # PLN110526

Water 2500' Limit 300' Limit City Limits



PLANNER: GONZALES