



# County of Monterey

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Board Report

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**File #:** ZA 19-138, **Version:** 1

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### **PLN180550 - RAMOS**

Public hearing to consider allowing replacement of a 672 square foot mobile home with a 780 square foot manufactured home that maintains a legal non-conforming residential use in a light commercial zone.

**Project Location:** 538 Salinas Road, Watsonville (Assessor's Parcel Number 117-271-004-000), North County Area Plan

**Proposed CEQA action:** Rely on previous determination that the replacement of the mobile home is Categorically Exempt pursuant to Section 15302 of the CEQA Guidelines.

#### **RECOMMENDATION:**

It is recommended that the Zoning Administrator take no action on the replacement of a 672 square foot mobile home with a 780 square foot manufactured home that maintains a legal non-conforming residential use in a light commercial zone, and remand the project back to the Director of Planning for consideration.

#### **PROJECT INFORMATION:**

**Agent:** Juan Perez

**Property Owner:** Miguel & Irene Ramos

**APN:** 117-271-004-000

**Parcel Size:** 0.33 acre (14,375 sq. ft)

**Zoning:** Light Commercial "LC"

**Plan Area:** North County Area Plan

**Flagged and Staked:** No

#### **SUMMARY/DISCUSSION:**

A permit for the removal and replacement of the non-conforming mobile home was approved by the Zoning Administrator on May 25<sup>th</sup>, 2006 (PLN050698, Resolution No. 050698). That approval included the demolition of a 672 square foot mobile home destroyed by flood and replacement with a 784 square foot manufactured home. On January 26, 2006, the property owner pulled a building permit (BP060218) and removed the damaged mobile home. On July 14, 2008, the property owner applied for a building permit to install the replacement manufactured home on the property (BP081249) but, due the recession, the permit for the replacement home (BP081249) was left to expire and the new manufactured home was not constructed. It has now been more than 1 year since the legal non-conforming residential use existed at the site, meaning that the non-conforming use may be considered abandoned pursuant to Chapter 21.68 of the Monterey County Code.

Staff has reviewed the record to determine if the property owner had made a substantial investment in the approved permit for the replacement of the home, vesting their ability to replace the home pursuant to that the approved Use Permit. There is correspondence in the Planning file record (PLN050698) between County staff and the property owner about proceeding with demolition of the flooded mobile home while the Use Permit for the replacement of the non-conforming mobile home was being processed. That correspondence indicates that demolition of the mobile home prior to approval of the Use Permit would not jeopardize the legal non-conforming status of the property. The issuance and demolition of the non-conforming mobile home was

suggested by County staff due to the damage incurred as a result of the flood and the demolition was allowed to proceed concurrently with the processing of the land use permit. The Use Permit was approved, a demolition permit was obtained, the damaged mobile home was removed from the property, and a building permit to construct the replacement home was applied for. Based on the information in the record including the substantial investment in the demolition of the flooded mobile home which was done under a permit issued by the County and reliance on written communication from County staff, the Chief of Planning determined that the Use Permit for replacement of the mobile home has been vested. As such, staff is recommending that the Zoning Administrator take no further action on this item and that the project be allowed to proceed under the previous approval.

#### CEQA

The previously approved permit (PLN050698) was found categorically exempt from CEQA pursuant to Section 15302 of the CEQA Guidelines. In this instance, staff is recommending that the Zoning Administrator take no action on the permit and the original CEQA determination would not change.

Prepared by: Son Pham-Gallardo, Associate Planner, x5226

Reviewed by: Craig Spencer, RMA Services Manager

Approved by: John M. Dugan, RMA Deputy Director of Land Use and Community  
Development

cc: Front Counter Copy; Planning Commission; Son Pham-Gallardo, Associate Planner, Craig Spencer, RMA Interim Services Manager; Juan Perez, Applicant; Miguel & Irene Ramos, Owner; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); John H. Farrow; Janet Brennan; Project File PLN180550