

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: September 25, 2008 Time: 1:40 P.M	Agenda Item No.: 3
Project Description: Combined Development Permit consisting of: 1) a lot line adjustment to adjust the boundaries between two existing lots of record of 51.6 and 1.2 acres respectively, resulting in two lots of 49.8 and 3.0 acres; and 2) a Use Permit for the establishment of a visitor center/parking area for the Carmel River Parkway Trail Project.	
Project Location: 26700 Rancho San Carlos Road, Carmel Valley	APN: 157-121-006-000
Planning File Number: PLN070538	Name: Quail Lodge, Property Owner
Plan Area: Carmel Valley Master Plan	Flagged and staked: No
Zoning Designation: “LDR/2.5-D-S” (Low Density Residential, 2.5 acres per unit with Design Control, and Site Plan Review Overlays) and “RC/10” (Resource Conservation, 10 acres per unit)	
CEQA Action: Categorically Exempt per Section 15303 & 15305	
Department: RMA - Planning Department	

RECOMMENDATION:

Staff recommends that the Zoning Administrator approve the Combined Development Permit based on the Findings and Evidence (**Exhibit C**) and subject to the recommended Conditions (**Exhibit D**).

PROJECT OVERVIEW:

The subject properties are located at 26700 Rancho San Carlos Road, Carmel approximately 800 feet south of Carmel Valley Road and just south of the bridge over the Carmel River. The proposed project includes: 1) a lot line adjustment to allow the modification of the boundaries between two legal lots of record, of 51.60 and 1.2 acres, respectively, resulting in two parcels of 49.8 (Parcel A) and 3.0 acres (Parcel B), respectively; and 2) establishment of a visitor center/parking area for the Carmel River Parkway Trail Project on Parcel B. Parcel A is currently under agricultural production and is proposed to continue that use. The purpose of the lot line adjustment is to create a three-acre parcel for the location of the proposed visitor center.

The existing parcels have been deemed separate legal parcels by Certificate of Compliance (RMA-Planning File No. PLN980171). Both parcels are included under Assessor Parcel Number 157-121-006-000. The Certificates of Compliance recorded at the Monterey County Records office in Reel 3507 page 1486 (approximately 51.60 acres) and Reel 3507 page 1487 (approximately 1.2 acres).

The proposed visitor center consists of an office (reception and information area), and bathroom located within an existing 1,075 square foot building previously used by the Santa Lucia Preserve as an office. The existing gravel parking area has the capacity for eight spaces which will provide parking for employees and visitors to the trail park and an unimproved parking area is available for overflow parking. The traffic study prepared for the project concludes that the visitor center will generate 20 additional automobile trips. Therefore, the improved gravel area and the unimproved overflow parking facility will be sufficient for the amount of vehicles. No additional infrastructure is required for the proposed project.

The Environmental Health Department has reviewed the proposed project and has found that the water quality from the existing well exceeds the secondary limits for conductivity, iron,

manganese, sulfate, odor, total dissolved solids, and turbidity (thick or opaque with or as if with roiled sediment). A deed notification has been included as a condition of approval (Condition No. 7) which notifies the current owner and subsequent owners of the water quality and requires that a water treatment facility shall be installed for any future development which is to occur on Parcel A,.

The Water Resources Agency has reviewed the proposed project and has determined that the lots resulting from the lot line adjustment and the proposed use will not be detrimental to health, life, and safety. However, portions of the newly created lots (Parcel A and B) are located within the Carmel Valley Floodplain and therefore a Floodplain Notice is required as a condition of approval (Condition No. 6).

A Trip Generation Study, dated October 23, 2007 was conducted by the Higgins Associates (Library No. LIB080450) and submitted with the application. The study concludes that the proposed project has the potential to generate 20 more daily trips than the trips generated by the existing office used by the Santa Lucia Preserve. However, the increase in volume will not result in a change in the level of service for Carmel Valley Road, between Rio Road and Rancho San Carlos Road and between Rancho San Carlos Road and Schulte Road, and therefore will not result in a significant effect on existing traffic conditions. The Public Works Department has analyzed the project and Trip Generation Study and has determined that since the building is existing, the applicant is not required to pay a Carmel Valley Traffic Impact Fee.

The lot line adjustment is categorically exempt from California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15305, Minor Alterations in Land Use Limitations, which includes minor lot line adjustments. The conversion of the existing structure from an office for the Santa Lucia Preserve to a Visitors Center for the Carmel River Trail Park is exempt pursuant to Section 15303 of the CEQA Guidelines (Conversion of Small Structures which includes offices or similar structures not over 2,500 square feet).

Based on resource information contained in the Greater Monterey Peninsula Area Plan, the Greater Monterey Peninsula Inventory and Analysis, the Carmel Valley Master Plan, the Monterey County Subdivision Ordinance (Title 19), the Monterey County Zoning Ordinance (Title 21), application materials and site visits, staff finds that this project has no issues remaining.

OTHER AGENCY INVOLVEMENT:

- ✓ Cypress Fire Protection District
- ✓ Public Works Department
- ✓ Parks
- ✓ Environmental Health Division
- ✓ Water Resources Agency

The above checked agencies and departments have reviewed this project. Conditions recommended by *Water Resources, Environmental Health, Public Works and Cypress Fire* have been incorporated into the condition compliance reporting plan (**Exhibit D**).

The project was not referred to the Carmel Valley Land Use Advisory Committee (LUAC) for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 04-236, this application did not warrant referral to the LUAC because the project does not involve slope restrictions, ridgeline/viewshed development, the project is exempt from CEQA per Section 15303 & 15305, and the Lot Line Adjustment does not involve conflicts.

Note: The decision on this project is appealable to the Planning Commission.

Anna V Quenga
(831) 755-5175, quengaav@co.monterey.ca.us
August 29, 2008

cc: Front Counter Copy; Zoning Administrator; Cypress Fire Protection District; Public Works Department; Parks Department; Environmental Health Division; Water Resources Agency; Luis Osorio, Planning Services Manager; Anna V Quenga, Planner; Carol Allen, Quail Lodge Inc., Applicants; Big Sur Land Trust, Agent; Planning File PLN070538.

Attachments: Exhibit A Project Data Sheet
 Exhibit B Recommended Findings and Evidence
 Exhibit C Recommended Conditions of Approval
 Exhibit D Vicinity Map
 Exhibit E Proposed Record of Survey, Floor Plan and Elevations

This report was reviewed by Luis Osorio, Planning Services Manager

EXHIBIT C

RECOMMENDED FINDINGS AND EVIDENCE

1. **FINDING:** **CONSISTENCY** – The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, Greater Monterey Peninsula Area Plan, Greater Monterey Peninsula Area Plan Inventory and Analysis, the Carmel Valley Master Plan, and the Monterey County Zoning Ordinance (Title 21), which designates this area as appropriate for development.

EVIDENCE: (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. 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 26700 Rancho San Carlos Road, Carmel Valley (Assessor's Parcel Number 157-121-006-000), Carmel Valley Master Plan. The parcel is zoned Low Density Residential, 2.5 acres per unit with Design Control and Site Plan Review overlay districts, and Resource Conservation, 10 acres per unit ("LDR/2.5-D-S and RC/10") which allow for the lot line adjustment and public quasi-public use on the property. Therefore, the property is suitable for the proposed development.

(c) The project planner conducted a site inspection on July 31, 2008 to verify that the project on the subject parcel conforms to the plans listed above.

(d) The 1,054 square foot structure on the property was remodeled to an office for the Santa Lucia Preserve in 1998 (building permit No. BP981925M). That structure is proposed to be converted into a reception and information area for the Visitor Center for the Carmel River Trail Park. A Visitor Center is an allowed use within an LDR zoning district provided that a Use Permit is first secured.

(e) The project was not referred to the Carmel Valley Land Use Advisory Committee (LUAC) for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 04-236, this application did not warrant referral to the LUAC because based on interim guidelines the project does not involve slope restrictions, ridgeline/viewshed development, is exempt from CEQA per Section 15303 and 15305, and the Lot Line Adjustment does not involve conflicts.

(f) The Public Works Department has analyzed the project and Trip Generation Study and has determined that since the building is existing, the applicant is not required to pay a Carmel Valley Traffic Impact Fee.

(g) The existing gravel parking area has the capacity for eight spaces which will provide parking for employees and visitors to the trail park and an unimproved parking area is available for overflow parking. The traffic study prepared for the project concludes that the visitor center will generate 20 additional automobile trips. Therefore, the improved gravel area and the unimproved overflow parking facility will be sufficient for the amount of vehicles. No additional infrastructure is required for the proposed project.

(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 PLN070538.

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, Cypress Fire Protection District, Parks, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
- (b) A technical report by an outside Traffic engineer indicates that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff concurs. The following report has been prepared:
- i. “Trip Generation Study” (LIB080450) prepared by Higgins Associates, Gilroy, CA, October 24, 2007).
- (c) Staff conducted a site inspection on July 31, 2008 to verify that the site is suitable for this use.
- (d) Materials in Project File PLN070538.
3. **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) The lot line adjustment is categorically exempt from California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15305, Minor Alterations in Land Use Limitations, which includes minor lot line adjustments.
- (b) The conversion of the existing structure from an office for the Santa Lucia Preserve to a Visitors Center for the Carmel River Trail Park is exempt from CEQA Guidelines pursuant to Section 15303, Conversion of Small Structures which includes offices or similar structures not over 2,500 square feet.
- (c) A Trip Generation Study, dated October 23, 2007 was conducted by the Higgins Associates (Library No. LIB080450) and submitted with the application. It was determined that the proposed project has the potential to generate 20 new daily trips from the amount already generated by the existing office used by the Santa Lucia Preserve. However, the increase in volume will not result in a change in the level of service for Carmel Valley Road, between Rio Road and Rancho San Carlos Road and between Rancho San Carlos Road and Schulte Road and therefore will not result in a significant effect on existing traffic conditions.
- (c) No adverse environmental effects were identified during staff review of the development application during a site visit on July 31, 2008.
- (d) See preceding and following findings and supporting evidence.
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. Zoning violation abatement costs, if any, have been paid.
- EVIDENCE:** Staff reviewed Monterey County RMA - Planning Department and Building Services Department Monterey County records and is not aware of any violations existing on subject property.
5. **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 Environmental Health Department has reviewed the proposed project and has found that the water quality from the existing well exceeds the secondary limits for conductivity, iron, manganese, sulfate, odor, total dissolved solids, and turbidity (thick or opaque with or as if with roiled sediment). A deed notification has been included as a condition of approval (Condition No. 7) which notifies the current owner and subsequent owners of the water quality and requires that if any development is to occur on Parcel A, water treatment shall be installed.
- (b) The Water Resources Agency has reviewed the proposed project and has determined that the resulting lot line adjustment and proposed use will not be detrimental to health, life, and safety. However, portions of the newly created lots (Parcel A and B) are located within the Carmel Valley Floodplain and therefore a Floodplain Notice is required as a condition of approval (Condition No. 6).
- (c) See preceding Findings and Evidence.
- (d) No detrimental effects to health, life, and safety were identified during staff review of the development application during a site visit on July 31, 2008.

6. FINDING: PARCEL LEGALITY - The lot line adjustment is between two existing legal lots of record.

EVIDENCE: The existing parcels have been deemed separate legal parcels by Certificate of Compliance (RMA-Planning File No. PLN980171). Both parcels are included under Assessor Parcel Number 157-121-006-000. The Certificates of Compliance recorded at the Monterey County Recorders office in Reel 3507 page 1486 (approximately 51.60 acres) and Reel 3507 page 1487 (approximately 1.2 acres).

7. FINDING: CONTIGUOUS LOTS OF RECORD - The Lot Line Adjustment is between two existing contiguous lots of record.

EVIDENCE: (a) Application plans and information contained in Planning File No. PLN070538.

(b) Evidence found in Finding No. 6.

8. FINDING: NO NEW LOTS CREATED - A greater number of parcels than originally existed will not be created as a result of the Lot Line Adjustment.

EVIDENCE: (a) The existing two contiguous lots of record will be adjusted. No new lots will be created.

(b) Application plans and information contained in Planning File No. PLN070538.

9. FINDING: APPEALABILITY - The decision on this project is appealable to the Planning Commission.

EVIDENCE: Section 21.80.040.B of the Monterey County Zoning Ordinance (Title 21).

EXHIBIT D Monterey County Resource Management Agency Planning Department Condition Compliance and/or Mitigation Monitoring Reporting Plan	Project Name: Quail Lodge File No: PLN070538 Approved by: Zoning Administrator	APNs: 157-121-006-000 Date: September 25, 2008
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**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>
1.		PD001 - SPECIFIC USES ONLY This Combined Development Permit (PLN070538) allows: 1) Lot Line Adjustment to adjust the boundaries between two existing lots of record of 51.6 (APN 157-121-006-000) and 1.2 acres (Certificate of Compliance PLN970171) respectively, resulting in two lots of 49.8 and 3.0 acres; and 2) Use Permit for the establishment of a visitor center/parking area for the Carmel River Parkway Trail Project. The property is located at 26700 Rancho San Carlos Road, Carmel Valley (Assessor's Parcel Number 157-121-006-000), Carmel Valley Master Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. 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	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

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		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)				
2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Zoning Administrator for Assessor's Parcel Number 157-121-006-000 on September 25, 2008. 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 RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Concurrent -ly with filing of Record of Survey.	
3.		PD029 - HOURS OF OPERATION Hours of operation shall be 9:00 a.m. to 4:00 p.m., Monday through Friday. (RMA – Planning Department)	Demonstrate compliance with the hours of operation to the Director of RMA – Planning Department.	Owner/ Applicant	Prior to use/ Ongoing	

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4.		<p>PD045 – CERTIFICATES OF COMPLIANCE (LOT LINE ADJUSTMENTS)</p> <p>The applicant shall request unconditional certificates of compliance for the newly configured parcels. (RMA – Planning Department)</p>	<p>The Surveyor shall prepare legal descriptions for each newly configured parcel. The legal descriptions shall be entitled “Exhibit A”. The legal description shall comply with the Monterey County Recorder’s guidelines as to form and content. The Applicant shall submit the legal descriptions with a check, payable to the <i>Monterey County Recorder</i>, for the appropriate fees to record the certificates.</p>	Owner/ Applicant	Concurrent with recording the Record of Survey	
5.		<p>WRSP001 – FLOODPLAIN RECORDATION</p> <p>Prior to filing the record of survey, the owner shall provide the Water Resources Agency a signed and notarized Floodplain Notice for newly created Parcel A, and Parcel B, stating: “The property is located within or partially within a floodplain and may be subject to building and/or land use restrictions.” The notice shall be recorded concurrently with the record of survey. (Water Resources Agency)</p>	<p>Submit a recorded floodplain notice to the Water Resources Agency for review and approval. (A copy of the County’s standard notice can be obtained at the Water Resources Agency.)</p>	Owner/ Applicant	To be recorded concurrently with the Record of Survey	

<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.		<p>EHSP001 – DEED NOTIFICATION – WATER QUALITY</p> <p>A deed notification shall be recorded on Parcel A, APN 000-000-000-000, concurrently with the parcel map with the Monterey County Recorder which states:</p> <p>“The water quality for this parcel, APN 000-000-000-000, exceeds the secondary limits for the following constituents: Conductivity, Iron, Manganese, Sulfate, Odor, Total Dissolved Solids and Turbidity.</p> <p>In the event of development on Parcel A, water quality treatment shall be installed.”</p> <p>(Environmental Health)</p>	Record deed notification. Provide proof to Environmental Health that the deed has been recorded.	Owner/ Applicant	Concurrent -ly with filing of Record of Survey.	
7.		<p>EHSP002 – WELL AND WATER LINE EASEMENT</p> <p>Record the water line and well lot easement conforming to new Water Works Standards on Parcel B, APN 000-000-000-000 concurrently with the parcel map.</p> <p>(Environmental Health)</p>	Record the water line and well lot easement as approved by Environmental Health. Provide proof to Environmental Health that the easement has been recorded.	Owner/ Applicant	Concurrent -ly with filing of Record of Survey.	
8.		<p>EHSP003 – DEED NOTIFICATION – WATER RIGHTS</p> <p>A deed notification shall be recorded on Parcel B concurrently with the parcel map with the Monterey County Recorders which states:</p> <p>“Well ‘A’ is intended exclusively for use by Parcel A, APN 000-000-000-000. Well A is located within the well and water line easement on Parcel B, APN 000-000-000-000. No water rights from Well A shall be retained by Parcel B.”</p> <p>(Environmental Health)</p>	Record deed notification. Provide proof to Environmental Health that the deed has been recorded.	Owner/ Applicant	Concurrent -ly with filing of Record of Survey.	

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9.		PW0034 – LOT LINE ADJUSTMENT Obtain a survey of the new line and have the line monumented. (Public Works)	Owner shall have a surveyor monument the new lines. Evidence of completion of monumentation shall be submitted to DPW for review and approval.	Owner/ Applicant/ Surveyor	Prior to Recordation of Record of Survey	
10.		PW0035 – RECORD OF SURVEY File a Record of Survey showing the new line and it's monumentation. (Public Works)	Owner's Surveyor to prepare record of survey and submit to DPW for review and approval.	Owner/ Surveyor	Prior to Recordation of Record of Survey	

Rev. 06/18/2008