

**PLANNING COMMISSION  
COUNTY OF MONTEREY, STATE OF CALIFORNIA**

RESOLUTION NO. 02008

A.P. # 239-061-006-000

FINDINGS AND DECISION

In the matter of the application of  
**Rancho San Carlos Partnership (PLN010258)**

for a Combined Development Permit in accordance with Title 21, Chapter 21.14 of the Monterey County Code, consisting of an Administrative Permit and a Use Permit to allow the construction of a 30,829 sq. ft. employee operations center to include a 6,050 sq. ft. mechanical shop, a 1,200 sq. ft. carpentry building, a 6,500 sq. ft. golf vehicle garage, a 156 sq. ft. chemical storage building with mixing area, a 2,000 sq. ft. landscaping building, a 2,100 sq. ft. emergency vehicle garage, a 7,200 operations vehicle garage, a 1,740 sq. ft. operations office, a 3,339 sq. ft. employee center, vehicle wash, outdoor storage bins, a fueling station, a barbeque with relocated trellis, gate and landscaping, 54 parking spaces; and Design Approval, located at 121 Rancho San Carlos Road, Carmel westerly of Rancho San Carlos Road, Santa Lucia Preserve, came on regularly for hearing before the Planning Commission on February 13, 2002.

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

FINDING

- 1. FINDING:** The proposed project and/or use, described in condition #1 and as conditioned, are consistent with the policies of the Monterey County General Plan, the Greater Monterey Peninsula Area Plan and the requirements and standards of the Monterey County Zoning Ordinance (Title 21).

**EVIDENCE:** The text and policies of these documents have been evaluated during the course of the review of this application. No conflicts were found to exist with these policies. No communication was received during the course of review of this project to indicate that there is any inconsistency with the text and policies of these documents.
- 2. FINDING:** The site is physically suitable for the use proposed.

**EVIDENCE:** There has been no testimony received, either written or oral, during the course of public hearings to indicate that the site is not suitable for the project. Necessary public facilities are available for the use proposed. The project has been reviewed and deemed complete by the Monterey County Planning and Building Inspection Department, Water Resources Agency, Carmel Valley Fire Department, Public Works Department and Environmental Health Division. There has been no indication from those agencies that the site is not suitable.

**EVIDENCE:** Potential impacts (e.g. archaeological, geological, sensitive habitat, drainage, etc.) are analyzed in the certified final EIR for the Santa Lucia Preserve (EIR. 94-005). Applicable mitigations are included as permit conditions in the original permit (Board Resolution No. 96-060) and for this project.
- 3. FINDING:** On February 6, 1996, the Board of Supervisors adopted Resolution No. 96-060 thereby approving the overall Santa Lucia Preserve project (PC-94067). The conceptual General Development Plan for the Ranch Operation Center (on Lot 262) was approved by the Board of Supervisors in 1996 (see findings 52 - 55 on page 39 of the Board Resolution referenced above). At that time, the mitigations in the final EIR were incorporated in the Board Resolution

as permit conditions for the Santa Lucia Preserve project. Staff has reviewed the approved conditions in the Board Resolution in light of this project and has included those which are appropriate and apply to this project.

**EVIDENCE:** Administrative record; materials in file for this project and PC-94067; EIR No. 94-005; Board Resolution No. 96-059; Board Resolution No. 96-060; public testimony and permit conditions.

- 4. FINDING:** On February 6, 1996, the Board of Supervisors adopted Resolution No. 96-059 thereby certifying the final Environmental Impact Report (EIR No. 94-005) for the Santa Lucia Preserve project. The proposed project was conceptually analyzed in the EIR referenced above and is consistent with the document's conclusions and mitigations. Chapter 12 (Aesthetics) of the final EIR for the project includes mitigation measure 37 which recommends relocation of the Ranch Operation Center to minimize visual impacts. In response to the mitigation, the Operation Center was relocated to Lot 262, as proposed in this application and consistent with the final (recorded) map. Potential impacts (e.g. archaeological, geological, sensitive habitat, drainage, etc) are also analyzed in the certified final EIR. The proposed project is consistent with the EIR's conclusions and mitigations. Mitigations from the EIR were included as permit conditions for the original permit (Board Resolution No. 96-060). In turn, those conditions which apply to this project are adopted as part of this permit approval.

**EVIDENCE:** Administrative record; materials in file for this project and PC-94067; EIR No. 94-005; Board Resolution No. 96-059; Board Resolution No. 96-060; public testimony and permit conditions.

- 5. FINDING:** The proposed project will not create a substantially adverse visual impact when viewed from a common public viewing area.

**EVIDENCE:** Trees have already been planted in an effort to screen future development along the most visually sensitive portion of Robinson Canyon Rd. This was also a requirement of mitigation measure 37 in the final EIR.

**EVIDENCE:** The structures will be built in a style similar to other operational buildings located on the Santa Lucia Preserve and will be constructed from natural looking materials and colors to help the project blend with the surroundings.

- 6. FINDING:** No written request, based on a substantive issue, for public hearing or other evidence of public controversy or public opposition as described in Section 21.70.060A, Title 21, Monterey County Code (Zoning) was found to exist.

**EVIDENCE:** Materials in project file.

- 7. FINDING:** Public notice of the hearing on the Combined Development Permit application was provided pursuant to Section 21.70.040 of Title 21, Monterey County Code (Zoning).

**EVIDENCE:** Materials in project file.

- 8. FINDING:** The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivisions, and other applicable provisions of Title 21. No violations exist on the property. Zoning violation abatement costs, if any, have been paid.

**EVIDENCE:** Staff verification of the Monterey County Planning and Building Inspection Department records indicates that no violations exist on subject property.

- 9. FINDING:** The establishment, maintenance, or operation of the use or building applied for will not under the circumstances of the particular case, 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.

**EVIDENCE:** Preceding findings and supporting evidence.

**10. FINDING:** The decision on this project is appealable to the Board of Supervisors.

**EVIDENCE:** Section 21.80 of the Monterey County Zoning Ordinance (Title 21).

### DECISION

THEREFORE, it is the decision of the Planning Commission of the County of Monterey that the said application for a Combined Development Permit be granted as shown on the attached sketch and subject to the following conditions:

1. The Rancho San Carlos Partnership (PLN010258) Combined Development Permit consists of a Use Permit, Administrative Permit and Design Approval for a 30,829 sq. ft. employee/Ranch Operation Center which includes: 1) a 6,050 sq. ft. mechanical shop; 2) a 1,200 sq. ft. carpentry building; 3) a 6,500 sq. ft. golf vehicle garage; 4) a 156 sq. ft. chemical storage building with mixing area for landscape maintenance; 5) a 2,000 sq. ft. landscaping building; 6) a 2,100 sq. ft. emergency vehicle garage; 7) a 7,200 operations vehicle garage; 8) a 1,740 sq. ft. operation office; 9) a 3,339 sq. ft. employee center, vehicle wash, outdoor storage bins and fueling station; 10) a barbeque with trellis, gate and landscaping; and 11) 54 parking spaces. The property is located at 121 Rancho San Carlos Road (Assessor's Parcel Number 239-061-006-000), Santa Lucia Preserve, Lot 262, Greater Monterey Peninsula Area Plan.

Approximately 40 employees use the Ranch Operation Center at various times throughout the day. Of these employees, approximately 4 work on-site on a full-time basis. Remaining employees, 20 of which work on the golf course, report to the Operation Center and go to their assigned job site in various locations throughout Santa Lucia Preserve. Employee shifts occur 7 days a week, typically during daylight hours. Nighttime and weekend staffing is minimal and on an "on-call" basis.

The proposed project is in accordance with County ordinances and land use regulations, subject to the following terms and conditions. Neither the use 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 Planning and Building Inspection. 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. **(Planning and Building Inspection)**

#### **Prior to the Issuance of Building Permits:**

2. 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. **(Planning and Building Inspection Department)**

3. The applicant shall record a notice which states: "A permit (Resolution 02008) was approved by the Planning Commission for Assessor's Parcel Number 239-061-006-000 on February 13, 2002. The permit was granted subject to 15 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)**
4. All exterior lighting shall be unobtrusive, 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 exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. **(Planning and Building Inspection)**
5. Prior to the issuance of a building permit, 3 copies of a drainage plan shall be prepared by a registered civil engineer or architect to address on-site impacts for review and approval by the Water Resources Agency. Stormwater runoff from impervious surfaces shall be dispersed at multiple points, away from and below any septic leach fields, over the least steep available slopes, with erosion control at outlets. **(Water Resources Agency)**
6. Include provisions in construction contracts for the Ranch Operation Center for implementation of dust control measures during construction. Dust control measures include, but are not necessarily limited to, the following:
  - a. Use watering trucks to control emissions from haul roads and construction sites. Sprinkle areas sufficiently to control windblown dust and dirt.
  - b. Limit construction vehicle speeds to 10 mph on unpaved roads and/or construction sites.
  - c. Apply non-toxic chemical dust stabilizers (such as jute netting, erosion control fabric, mulch, etc) to exposed areas immediately after grading operations are complete.
  - d. Trucks hauling dirt and debris must be covered.
  - e. Sweep streets adjacent to work sites to remove silt and mud accumulated from construction activities on as needed basis.
  - f. Cover on-site stockpiles of excavated materials.
  - g. Periodically inspect construction equipment and maintain according to manufacturer's recommendations.**(Planning and Building Inspection & Condition 28 of Board Resolution 96-060)**
7. This application is subject to the Carmel Valley Master Plan Expanded Area Traffic Impact Fee. **(Public Works)**

**Prior to Final Building Inspection/Occupancy:**

8. The applicant shall comply with Ordinance No. 3932 of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:

- a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.
  - b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. **(Water Resources Agency & Planning and Building Inspection)**
9. Implement the applicable provisions of the Rancho San Carlos Erosion Control Report prepared by Bestor Engineers on 2/18/94. **(Planning and Building Inspection & Condition 8 of Board Resolution 96-060)**
  10. Implement measures contained in the approved storm-water prevention plan to control urban pollutants. **(Planning and Building Inspection & Condition 21 of Board Resolution 96-060)**
  11. The site shall be landscaped. At least three weeks prior to occupancy, three copies of a landscape plan shall be submitted to the Director of Planning and Building Inspection for approval. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, specie, and size of the proposed landscaping materials. The landscaping shall be installed in accordance with the approved plan prior to final clearance of the building permit or occupancy, which ever occurs first. **(Planning and Building Inspection)**
  12. Fire department requirements shall be applied at time of individual construction plan check and shall be completed prior to occupancy finals. **(Carmel Valley Fire Protection District)**
  13. Certification that the storm-water detention facility has been constructed in accordance with approved plans shall be provided to the County Water Resources Agency by a registered civil engineer or licensed contractor who constructed the facility. **(Water Resources Agency)**

**Continuous Permit Conditions:**

14. If during the course of construction activity on the subject property, cultural, archaeological, historical, 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 it can be evaluated by a qualified professional archaeologist. The Monterey County Planning and Building Inspection 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. **(Planning and Building Inspection & Condition 37a of Board Resolution 96-060)**
15. Applicant shall comply with Title 19 of the California Code of Regulations, Subchapter 3 and Health and Safety Code Chapter 6.95 (Hazardous Material Registration and Business Response Plans) as approved by the Director of Environmental Health. **(Environmental Health)**

**PASSED AND ADOPTED** this 13th day of February, 2002, by the following vote:

AYES: Errea, Hawkins, Parsons, Wilmot  
 NOES: Brennan, Diehl  
 ABSENT: Sanchez, Pitt-Derdivanis, Hernandez, Lacy

Original Signed By:

DALE ELLIS, SECRETARY

Copy of this decision mailed to applicant on

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

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 90<sup>th</sup> 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 and Building Inspection Department office in Salinas.

2. This permit expires 2 years after the above date of granting thereof unless construction or use is started within this period.