

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

RESOLUTION NO. 03064

A. P. # 185-052-013-000

FINDINGS AND DECISION

In the matter of the application of
Dean & Barbara Griggs (PLN030085)

WHEREAS: The Planning Commission, pursuant to regulations established by local ordinance and state law, has considered, at public hearing, a Combined Development Permit, located on Lot 9, Coyote Creek Ranch Las Laurelitos, Carmel Valley, east of Haldorn Road, Carmel Valley area, came on regularly for hearing before the Planning Commission on October 8, 2003.

WHEREAS: Said proposal includes:

- 1) an Administrative permit for construction of a 5,820 square foot one-story single family dwelling; a 758 square foot attached garage; 1,498 square feet of covered porches and patios; a 144 square foot pump house and swimming pool; a four-foot high, 300-foot long retaining wall; 12-foot wide, 1,500 feet long, access road; septic system; and grading (2,848 cubic yards of cut and 2,075 cubic yards of fill);
- 2) a Use Permit for Ridgeline Development; and
- 3) Design Approval

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

FINDINGS OF FACT

1. **FINDING: CONSISTENCY** - The Twelfth Tee Investors LLC Combined Development Permit and Design Approval (PLN030085), as described in condition #1 and as conditioned are consistent with the plans, policies, requirements and standards of the Monterey County General Plan, Carmel Valley Master Plan and Monterey County's Zoning Ordinance (Title 21). The property is located on Lot C, Coyote Creek Ranch, Las Laurelitos, (Assessor's Parcel Number 185-052-013-000) east of Haldorn Road, Carmel Valley Area. The parcel is zoned "LDR/2.5-D-S" or Low Density Residential, 2.5 acres per unit and "RDR/10-D-S" or Rural Density Residential, with site plan and design review requirements. The site is physically suitable for the use proposed.

- EVIDENCE:**
- (a) The Planning and Building Inspection staff reviewed the project for consistency with:
 - Monterey County General Plan policies
 - Carmel Valley Master Area Plan policies
 - Chapter 21.66, Regulations and Standards for Ridgeline Development of the Monterey County Zoning Ordinance (Title 21)
 - Regulations for the Low Density Residential Zoning District of the Monterey County Zoning Ordinance (Title 21).
 - Regulations for the Rural Density Residential Zoning District of the Monterey County Zoning Ordinance (Title 21).
 - (b) The application and plans submitted for the Combined Development Permit and Design Approval in project file PLN030085 in the Monterey County Planning and Building Inspection Department.

- (c) The Carmel Valley Land Use Advisory Committee (LUAC) reviewed the proposal on August 4, 2003, and voted 3 to 0 (2 absent) to recommend approval. Applicable changes recommended by the LUAC are included as permit conditions.
- (d) An addendum to the Archaeological Report on file for this parcel was prepared for this project by Archeological Consulting on May 2, 2003. The addendum concludes that there is no evidence of cultural resources within the area currently proposed for development. A condition is included to stop work in the event cultural resources are discovered during grading and/or construction activity.
- (e) 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 Monterey County Planning and Building Inspection Department, Water Resources Agency, the Carmel Valley Fire Protection District, Public Works Department and Environmental Health Division have reviewed the project. There has been no indication from those agencies that the site is not suitable. There are no physical or environmental constraints such as geologic or seismic hazard areas, environmentally sensitive habitats, or similar areas that would indicate the site is not suitable for the use proposed.
- (f) A Geotechnical Investigation was prepared for this site by Soil Surveys Inc. dated May 15, 2003. The report concludes that the site is suitable for the proposed development provided recommendations in the report are incorporated in the project design.

2. **FINDING: CEQA (Exempt)** - The proposed project will not have a significant environmental impact.
- EVIDENCE:**
- (a) CEQA Section 15061 (3). The applicant has designed the project and proposes landscape screening to ensure that the development will not have a significant adverse visual impact.
 - (b) CEQA Section 15303a. No potentially adverse environmental impacts were identified during review of the proposed project.
3. **FINDING: RIDGELINE** – The proposed residence will result in ridgeline development and will silhouette against the sky. This ridgeline development would be visible for approximately 3 seconds while traveling either north or south on Carmel Valley Road at a distance of approximately 1-mile. Staff has determined, however, that the proposed single family dwelling, as designed and conditioned will not create a substantial adverse visual impact when viewed from an established scenic corridor (i.e., Carmel Valley Road). In addition, the project as proposed better meets the intent of the Monterey County General Plan and the Carmel Valley Master Plan Policies. As a result, approval of this project is appropriate for the following reasons:
- EVIDENCE:**
- (a) There are no other feasible locations for the development to occur on the property. Alternative locations would result in development on very steep slopes or require tree removal. See also the slope density map submitted by Tunstall Engineering Inc. located in the file.
 - (b) The development as designed and as conditioned will not have a significant adverse visual impact on the public viewshed. Permit conditions require adequate landscape screening to protect the public viewshed and earth-tone colors are proposed for construction materials.
 - (c) The project was flagged and staked and a site visit was conducted by the project planner on July 16 2003. Based on the site visit and staff's analysis of policies in the Carmel Valley Master Plan and requirements set forth in Title 21, Section 21.66, it has been determined that the project will not have a significant adverse visual impact on the public viewshed. In addition the Carmel Valley LUAC recommended approval.

4. **FINDING: NO VIOLATIONS** - 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:** (a) Sections 21.14, 21.44 and 21.46 of the Monterey County Code (Zoning).
(b) Staff verification of the Monterey County Planning and Building Inspection Department records indicates that no violations exist on subject property.
5. **FINDING: HEALTH and SAFETY** - 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.
6. **FINDING: APPEALABILITY** - The decision on this project is appealable to the Board of Supervisors.
- EVIDENCE:** Section 21.80.040.C of Title 21 (Zoning Ordinance).

DECISION

THEREFORE, it is the decision of said Planning Commission that said application be granted as shown on the attached sketch, subject to the following conditions:

1. Combined Development Permit consisting of: 1) an Administrative permit for construction of a 5,820 square foot one-story single family dwelling; a 758 square foot attached garage; 1,498 square feet of covered porches and patios; a 144 square foot pump house and swimming pool; a four-foot high, 300-foot long retaining wall; 12-foot wide, 1,500 feet long, access road; septic system; and grading (2,848 cubic yards of cut and 2,075 cubic yards of fill); and 2) a Use Permit for Ridgeline Development; and Design Approval. The property is located on Lot C, Coyote Creek Ranch, Las Laurelitos, east of Haldorn Road (Assessor's Parcel Number 185-052-013-000) Carmel Valley Area. 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 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 the appropriate authorities approve additional permits. **(Planning and Building Inspection)**

Prior to the Issuance of Grading and Building Permits:

2. The applicant shall record a notice, which states: "A permit (Resolution No. 03064) was approved by the Planning Commission for Assessor's Parcel Number 185-052-013-000 on October 8, 2003. The permit was granted subject to 39 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)**
3. 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)**

4. The planting of Croplands, Orchards and/or vegetation is prohibited on slopes greater than 30% or where it would require the conversion or extensive removal of existing native vegetation. **(Planning and Building Inspection Department)**
5. Prior to issuance of a building permit, the applicant shall pay the Carmel Valley Traffic mitigation fee in effect at the time that the application is made for building permits. **(Public Works Department)**
6. Prior to issuance of any grading or building permits, the applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts and incorporating the Drainage, Erosion Control and Subsurface Drainage Considerations from the *Geotechnical Investigation* prepared by Soil Surveys dated May 15, 2003. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. **(Water Resources Agency)**
7. Prior to issuance of any building permits, the applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form. **(Water Resources Agency)**
8. Prior to issuance of any grading or building permits, the applicant shall provide the Water Resources Agency information on the well to serve the project including a map showing the well location and any available well logs/e-logs. **(Water Resources Agency)**
9. Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. **(Carmel Valley Fire District)**
10. All roads shall be constructed to provide a minimum of two nine-foot traffic lanes providing two-way traffic flow, unless other standards or additional requirements are mandated by local jurisdictions or local subdivision requirements. **(Carmel Valley Fire District)**
11. The roadway surface shall provide unobstructed access to conventional drive vehicles, including sedans and fire engines. Surfaces should be established in conformance with local ordinances, and be capable of supporting the imposed load of fire apparatus. **Carmel Valley Fire District)**
12. The grade for all roads, streets, private lanes and driveways shall not exceed 15 percent. **(Carmel Valley Fire District)**
13. For residential driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius of curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. **(Carmel Valley Fire District)**
14. Roadway turnarounds shall be required on driveways and dead-end roads in excess of 150 feet of surface length. Required turnarounds on access roadways shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the centerline of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. **(Carmel Valley Fire District)**
15. Roadway turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum 25-foot taper on each end. **(Carmel Valley Fire District)**

16. Driveways shall not be less than 12 feet wide unobstructed. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400 foot intervals. **(Carmel Valley Fire District)**
17. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. **(Carmel Valley Fire District)**
18. All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on that road. **(Carmel Valley Fire District)**
19. Where gates are to be locked, the Reviewing Authority having jurisdiction may require installation of a key box or other acceptable means to immediate access for emergency equipment. **(Carmel Valley Fire District)**
20. Unobstructed vertical clearance shall not be less than 15 feet for all access roads. **(Carmel Valley Fire District)**
21. All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. **(Carmel Valley Fire District)**
22. Size of letters, numbers and symbols for addresses shall be a minimum of 3-inch letter height, 3/8-inch stroke, contrasting with the background color of the sign. **(Carmel Valley Fire District)**
23. All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located. **(Carmel Valley Fire District)**
24. The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. **(Carmel Valley Fire District)**
25. The hydrant serving any building shall be not less than 50 feet nor more than 1000 feet by road from the building it is to serve. **(Carmel Valley Fire District)**
26. Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2-inch National Hose outlet supplied by a minimum 4 inch main and riser. The Reviewing Authority may apply more restrictive hydrant requirements. **(Carmel Valley Fire District)**
27. All parcels 1 acre and larger shall provide a minimum 30-foot setback for buildings and accessory buildings from all property lines and/or the center of the road. For parcels less than 1 acre, or when a 30-foot minimum setback cannot be reached, alternate fuel modification standards may be imposed by the local fire jurisdiction to provide the same practical effect. **(Carmel Valley Fire District)**
28. Subdivisions and other developments, which propose greenbelts as a part of the development plan, shall locate said greenbelts strategically as a separation between wildland fuels and structures. The locations shall be approved by the Reviewing Authority. (Fire District)

29. Because of extra hazardous conditions, remove flammable vegetation from within 30 feet of structures. **(Carmel Valley Fire District)**
30. The building(s) shall be fully protected with automatic fire sprinkler system(s). The following notation is required on the plans when a building permit is applied for:

"The building shall be fully protected with an automatic fire sprinkler system. Installation, approval and maintenance shall be in compliance with applicable National Fire Protection Association and/or Uniform Building Code Standards, the editions of which shall be determined by the enforcing jurisdiction. Four (4) sets of plans for fire sprinkler systems must be submitted and approved prior to installation. Rough-in inspections must be completed prior to requesting a framing inspection." **(Carmel Valley Fire District)**
31. All new structures, and all existing structures receiving new roofing over 25 percent or more of the existing roof surface, shall require Class A roof construction. **(Carmel Valley Fire District)**
32. Before construction begins, temporary or permanent address numbers shall be posted. Permanent address numbers shall be posted prior to requesting final clearance. All address numbers (permanent and temporary) shall be posted on the property so as to be clearly visible from the road. Where visibility cannot be provided, a post or sign bearing the address numbers shall be set adjacent to the driveway or access road to the property. Address numbers posted shall be Arabic, not Roman or written out in words. Address numbers posted shall be a minimum number height of 3 inches with a 3/8-inch stroke, and contrasting with the background colors of the sign. **(Carmel Valley Fire District)**

Prior to Final Building Inspection:

33. The site shall be landscaped. At least three weeks prior to occupancy, three copies of a landscaping 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 landscape plan shall include the following components: 1) Adequate vegetation, including but not necessarily limited to trees, to screen all of the proposed structures from Carmel Valley Road; 2) provide adequate erosion control measures to be implemented and maintained on a permanent basis for the development and access road. The landscaping plan shall be in sufficient detail to identify the location, specie, and size of the proposed landscaping materials and shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County Planning and Building Inspection Department. **(Planning and Building Inspection)**
34. A scenic easement shall be/ conveyed to the County over those portions of the property where vegetation visually screens the single family dwelling and accessory structures from the scenic corridor. An easement deed and map shall be submitted to, and approved by, the Director of Planning and Building Inspection prior to final inspection. **(Planning and Building Inspection)**
35. The applicant shall comply with Ordinance No. 3932, or as subsequently amended, 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)**
36. Prior to final inspection, the geologic consultant shall provide certification that all development has been in accordance with the geotechnical investigation prepared by Soil Surveys Inc. dated May 15, 2003. **(Planning and Building Inspection)**
37. Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2-inch National Hose outlet supplied by a minimum 4 inch main and riser. The Reviewing Authority may apply more restrictive hydrant requirements. **(Carmel Valley Fire District)**

Continuous Permit Conditions:

38. If 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 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)**

- 39. All landscaped areas 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)**

PASSED AND ADOPTED this 8th day of October, 2003 by the following vote:

AYES: Errea, Sanchez, Hawkins, Padilla, Brennan, Parsons, Diehl, Rochester, Wilmot
 NOES: None
 ABSENT: Salazar

Original Signed By:

JEFF MAIN, 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 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 and Building Inspection Department office in Marina.

- 2. The construction or use authorized by this permit must start within two years of the date of approval of this permit unless extended by the Director of Planning and Building Inspection pursuant to Section 20.140.100 of the Coastal Implementation Plan.